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TYBURN
A STUDY OF CRIME AND THE LABOURING POOR
IN LONDON DURING THE FIRST HALF OF THE
EIGHTEENTH CENTURY

Two Volumes

by
Peter Linebaugh

Volume I

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ABBREVIATIONS

G.L.C.R.O. (Mddx. Div.)	The Greater London Council Record Office (Middlesex Division).
Lond. Corp. R.O.	The London Corporation Re- cord Office.
P.R.O.	The Public Record Office.
H.L.R.O.	The House of Lords Record Office.
R.C.P.	The Library of the Royal College of Physicians.
R.C.S.	The Library of the Royal College of Surgeons.
Brit. Mus. Add. MSS.	The British Museum, Addi- tional Manuscripts.
The Ordinary's <u>Account</u>	<u>The Ordinary of Newgate,</u> <u>His Account of the Beha-</u> <u>viour, Confession, and Dy-</u> <u>ing Words, of the Malefac-</u> <u>tors who were Executed at</u> <u>Tyburn.</u>
<u>The Proceedings</u>	<u>The Whole Proceedings upon</u> <u>the King's Commission of</u> <u>Oyer and Terminer and Gaol</u> <u>Delivery for the City of</u> <u>London and also the Gaol</u> <u>Delivery for the County</u> <u>of Middlesex.</u>
George	M. Dorothy George, <u>London</u> <u>Life in the Eighteenth Cen-</u> <u>tury</u> , revised edition (Lon- don, 1965).**

**

Henceforth, the place of publication is London unless noted otherwise.

ABBREVIATIONS CONT.

Partridge	Eric Partridge, <u>A Dictionary of the Underworld</u> , third edition (1968.)
Radzinowicz	Leon Radzinowicz, <u>A History of English Criminal Law and Its Administration from 1750</u> , 4 volumes (1948-1969).
D.N.B.	<u>The Dictionary of National Biography.</u>
O.E.D.	<u>The Oxford English Dictionary.</u>
H.M.C.	The Historical Manuscript Commission.
J.H.C.	<u>Journals of the House of Commons.</u>

SUMMARY

This thesis examines the relationship between crime and the labouring poor in London during the first half of the eighteenth century. Part One presents the results of a statistical analysis of the judicial records, an analysis not attempted before. In interpreting those results we show the limitations of that analysis. One of these, the problem of crime when it does not appear in the judicial records but in the struggle over the form of the wage, is described in Part Two. Part Three describes, verifies, and analyzes the contents of the Ordinary of Newgate's Accounts of those hanged. This evidence shows that social differences between criminals and the labouring poor were non-existent. Part Four presents a series of studies which place crime within some concrete sectors of London production in order to show that a qualitative difference between "industrial" struggles and criminality cannot be sustained. Part Five analyzes the disturbances of the Tyburn mob from the opposing points of view of the magistracy, the surgeons, and the physicians on the one hand, and the friends and relations of the hanged on the other. In conclusion we recapitulate a point first made in the introduction: the indivisibility of the problems of crime and the labouring poor in eighteenth century London.

Much of the work of the thesis . . . rests on research in historical records that heretofore have not been

used systematically.

I hope that this thesis contributes some new knowledge to the history of eighteenth century London, to the history of crime, and to the general problem of capitalist accumulation before the industrial revolution.

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Many people and institutions have helped me in the preparation of this thesis. It is a pleasure to acknowledge and thank them for it.

First, with the deepest gratitude, I acknowledge the assistance, encouragement, criticism, and consideration of Edward Thompson, my external supervisor and former Director of the Centre for the Study of Social History, and Royden Harrison, my internal supervisor and present Director of the Centre.

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At Columbia University where I began work on this thesis in 1966 few people took an interest in it. Howie Bernstein, Bernie Moss, Vic Wexler, Jim Thorpe, Jeff Kaplow, and Arthur

Wilson, formerly of Dartmouth College, did and I thank them for it.

Many people in Britain have helped me. Tim Mason, formerly of St. Anthony's College, Raphael Samuel of Ruskin College, Dorothy Thompson of Birmingham University, and Ian MacDonald, an organizer of the Radical Lawyers' Conference (1971), and the Society for the Study of Labour History were kind enough to provide forums where they and others criticized parts of this work saving me from making many blunders.

Joseph Harry Brown of the U.S. Penitentiary, Marion, Illinois, and Gene L. Mason of the New England Prisoners' Association taught me much that I hope has found its way into the pages that follow.

I dedicate this work to Bethia, Edward and Dotty.

DECLARATION

Portions of chapter one and two have appeared before in "Crime in London between 1720 and 1740: A Study of the Historical Evidence," unpublished M.A. thesis, Columbia University, 1969. Some sections of chapter twelve have appeared in a review essay in The Bulletin of the Society for the Study of Labour History, no. 28 (Spring 1974).

Strictly speaking, none of the work that follows can be said to have been the product of joint research. Broadly speaking, however, it is very much (I hope) a product of the collective work inspired by the men and women with whom I worked at the Centre for the Study of Social History at the University of Warwick. In addition to Edward Thompson and Royden Harrison, James Hinton and Robin Clifton of the Centre's staff, and Cal Winslow, Vic Bailey, Bernice Clifton, Jeanette Neeson, Malcolm Thomas, Doug Hay, and John Merrington, my contemporaries as students at the Centre, helped me in the solution of problems, suggestions for research, assistance in archives, in debate and in discussion. In particular Doug Hay taught me much about eighteenth century law, Malcolm Thomas about eighteenth century history, and John Merrington about London crime during a later period.

In contrast to the mode of producing history characteristic of petty commodity production that I have encountered

cooperation except at one point, a source of perennial irritation to the Admiralty and of the fiercest importance to the men: we refer to "chips."¹

What were "chips"? and what were they worth? Broadly speaking they consisted of wood scraps and waste created during the work of hewing, chopping and sawing ship timbers. In particular the term refers not to the wood itself but to the right of the worker to appropriate a certain amount of them, a perquisite which had come to be regarded as a prescriptive right by 1634 at least.² The exact amount of them depended upon the relative balance of force between the yard workers and the Navy Board at any given moment in the seventeenth and eighteenth centuries. "Chips" unlike wages were negotiable and this itself was an ambiguity that benefited the men who under cover of "chips" might make away with all types of goods. "There be nothing so frequent in our Minutes," sighed an official of the Navy Board, "as Orders respecting Chips."³

¹

Though we must note that all commentators insist that the peculations of the workers were only one aspect of malversation that was prevalent at all levels, among Officers, Masters, and the Commissioners.

²

Oppenheim, op. cit., p. 347.

³

J.H.C., vol. , p. 372 (13 February 1792) reprinting a letter of 1 October 1783.

elsewhere, the experience at the Centre for the Study of Social History promises that the production of history may enter, finally, the Era of Cooperation.

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INTRODUCTION

"Many men talk of Robin Hood, that never shot in his Bow."

Coke,
3 Institute, c. 90.

"It is an Old Proverb in this Country, Give the Loser Leave to Speak."

Theophilus Lucas,
Authentick Memoirs Relating to the Lives and Adventures of the Most Eminent Gamesters and Sharpers
(1744).

"The great and chief end therefore, of Mens uniting into Commonwealths, and putting themselves under Government, is the Preservation of their Property," wrote John Locke.¹

Six hundred and forty-five persons were indicted in Middlesex in 1740. Ninety-eight percent of the indictments were for crimes against property. Those indicted misappropriated goods to a value of about two thousand pounds. Eighteen of these men and women were hanged at Tyburn. They belonged to the class of the labouring poor: one apprentice butcher, one journeyman butcher, two gentleman's servants, one sailor, a weaver, a labourer, a plumber, a bargeman, a waterman, a shoemaker, an apprentice glazier, two agricultural workers, a chimney sweep, a prostitute and an English teacher in the West Indies returned to London as a clerk in a merchant trading house. The property they endangered consisted of eight brass nossels, eight brass cups, eight brass bosses, five silver spoons, five silver knives, five silver forks, two silver spoons, six pewter dishes, fifteen pewter plates, twenty-three cloth waistcoats, one pair of brass scales, thirty-one cloth coats, one brass warming pan, fourteen pairs of cloth breeches, six linen shirts, one pair of sil-

¹John Locke, The Second Treatise of Government (1690), Book II, chapter ix.

ver knee buckles, one Holland shirt, two silver watches, one gold watch, two Cornelian seals, a gold-headed cane, one gold Moidore, four half-Guinea pieces, three Portugal pieces, seven shilling bits, forty-nine Guineas, and one copper farthing, all of a total value of one hundred and five pounds, eighteen shillings and six pence farthing. Thus, in operation, was "the great and chief end" of government.

Crimes were against property. They were committed by the labouring poor.

These propositions, if not truisms, belong to a much longer historical continuum than London during the first half of the eighteenth century. It perhaps begins in Elizabethan times with the birth of English capitalism and when "the figure of Autolychus stalked the land."¹ Then the phrase the "labouring poor" gained currency, standing for people who owned neither the means of labour nor the product of labour. "Hirelings," "servants," "masterless men," like the "labouring poor," referred to those forced to sell their labour-power against a wage.

The process of creating such a class was two-fold. First, men and women are removed from the feudal relations of serfdom and guild-controlled production: this is the expropriation of labour from the conditions of work. Se-

¹A.V. Judges, The Elizabethan Underworld (1930), introduction.

cond, these men and women must be re-deployed into a "free" labour market where they are forced to work for a wage: this is the basis of the formation of the working class.¹

The two aspects of this process are separated in time. The first we know was achieved by great violence. The second aspect led to a protracted struggle carried on into the middle of the eighteenth century. In the seventeenth century people "fought desperately to avoid the abyss of wage labour."² William Petty recognized this fact when he saw in England "spare Hands to Superlucrate Millions of Millions."³ The birth of political economy thus corresponds to the moment of this mass refusal.

¹For the classical statement of this view see Karl Marx, Capital, I, Dona Torr edition (1946), chapters vi, xxvii - xxxi. See also, E. Lipson, The Economic History of England, vol. iii, The Age of Mercantilism, 2nd edition (1934), "The manual craftsman was transformed from an independent producer into a labourer working for hire. This change of status was attended with momentous consequences: it created the basis for the perennial struggle between capital and labour," p. 249. See also, John Hicks, A Theory of Economic History (1969), "The call of Bow Bells to Dick Whittington - 'Lord Mayor of London'! In their sound we have a symbol of the enchantment calling into being the urban proletariat."

²Christopher Hill, "Pottage for Freeborn Englishmen: Attitudes to Wage Labour in the Sixteenth and Seventeenth Centuries," in Socialism, Capitalism and Economic Growth: Essays Presented to Maurice Dobb, ed. C.H. Feinstein (1967), p. 339.

³In Political Arithmetic (1690) he estimated that two millions a year could be made from these "spare Hands." But Petty supposed "that all of these ten Millions of People, are obedient to their Sovereign, and within the reach of his power; for as things are otherwise so the Calculation must be varied." Charles Hull, The Economic Writings of Sir William Petty, i, 306, 309 (1899).

In the eighteenth century this was clearly recognized: the "insubordination" of the labouring poor and their "luxury" were cardinal themes in writings of political economists early in the century. Scarcely less important was the necessity of bringing them "within the reach" of sovereign power.¹ "Superlucration" or the accumulation of capital was blocked until this was done. Bernard Mandeville expressed the relationship clearly. "Trade is the Principal, but not the only Requisite to aggrandize a Nation;" he wrote, "there are other Things to be taken Care of besides. The Meum and Tuum must be secur'd, Crimes punish'd, and all other Laws, concerning the Administration of Justice, wisely contriv'd, and strictly executed."² The problem of accumulation and the exercise of State power through the criminal sanction thus were inseparable.

To Daniel Defoe in The Great Law of Subordination Consider'd; Or, The Insolence and Unsufferable Behaviour of Servants in England duly enquir'd into (1724), "servant" meant wage labour, and they "really govern throughout this Nation," one place in particular: London. It "like the Ocean, that receives the muddy and dirty Brooks, as well as the clear and rapid Rivers, swallows up all the scum and

¹ Despite its title, Georg Rüsche and Otto Kirchheimer, Punishment and the Social Structure (New York, 1939) is actually a history of this point.

² The Fable of the Bees, ed. Phillip Harth (1970), ~~4~~.

filth of the Country, and here they need not fear of getting Places; what Servants are likely to come out of such Nurseries is not hard to suggest, nor is it any breach of Charity, to suppose, that this helps to fill the Town with a generation of Whores and Thieves...."¹

If we take Defoe or Mandeville seriously, that is, as expressing the real problems of eighteenth-century development, then we must reject a prevalent view, at least as it is applied to the eighteenth century, that crime was merely one of the unhappy but essentially incidental or marginal aspects of economic development, ~~as~~ a lamentable faux frais of progress. When it is considered that the white population of Australia and much of the white population of America were transported through the English system of punishment, or when it is considered that perhaps at no other time in English history had the criminal sanction, especially statutes imposing capital punishment, expanded so greatly, it will be recognized that the state apparatus of the administration of justice was at once responding to an unprecedented situation and resolving it in a way of global significance. Contemporaries were not without thoughts about the causes of this near-identification between the problems of crime and the problems of the labouring poor,

¹pp. 73 and 86.

an identification quite alien to subsequent writers of history.

We may take Henry Fielding's An Enquiry into the Causes of the late Increase of Robbers, &c., second edition (1751), as a good example. Fielding begins his analysis of the problem with an account of the changed nature of the "constitution," by which he means the new relationships among class forces in eighteenth century England. He divides the classes into the nobility, the gentry, and the commonalty, and it is the last that has changed most. The changes the commonalty has undergone he places under two heads. First, it has "shook off Vassalage." The oath of fealty has been abandoned, dues in kind have been commuted into rents of money, and manorial property relations have been destroyed by dismembered leases. The destruction of paternal relations and feudal property has given the "people" a "State of Freedom and Independency unknown to this Rank in any other Nation." Second, the introduction of trade has "subverted the former State of Affairs." This "hath indeed given a new Face to the whole Nation." It has changed the manners, customs, and habits of the "lower sort of People" by transforming their simplicity to guile, their humility to pride, their frugality to luxury, and their servility to independence. The "invasion of Property" receives its impetus and finds its causes in the gather-

ing momentum of these two forces.¹ A modern account of eighteenth-century crime could do worse than to take this analysis as a starting point. Fielding of course was more than the historian of a "subverted ... State of Affairs;" he was Chairman of the Westminster and Middlesex Quarter Sessions anxious to increase the "civil authority" of the State. Yet, even his proposals for reducing crime are symptomatic of the underlying view that the problems of crime and those of the labouring poor are very much alike. To reduce crime, wages must be reduced, luxuries of the "inferior part of mankind" abolished, and their mobility stopped.

piety, and fear,
Religion to the gods, peace, justice, truth,
Domestic awe, night-rest, and neighbourhood,
Instruction, manners, mysteries, and trades,
Degrees, observances, customs, and laws,
Decline to your confounding contraries,
And let confusion live! (2)

This certainly represented one half of what seemed to contemporaries like Fielding, Defoe or Mandeville to be the "State of Affairs." But in the thesis that follows we wish to show that in that confusion there was a logic and in the "confounding contraries" a development.

The work that follows is fragmentary in two senses. While with some types of evidence I have attempted to be

¹See "The Preface" in particular.

²

Timon of Athens, IV. i. 15 - 21.

thorough, in others I have only been able to take selective soundings, and in still others my work has had to have been necessarily cursory. The work presented here therefore does not rest on an "exhaustive" exploration of all pertinent sources of evidence. This is the first sense in which the present work may be considered fragmentary.

Hegel distinguished three types of history, "original," "reflective," and "philosophical." Among the "reflective" methods of history four others are identified, the last of which he calls "fragmentary" history. By this he meant more than the history of a particular theme (he mentions religion, art and law): within a branch of history, and only within it, can the concepts or abstractions be discovered that can show the total context of a people's history as something more than its "accidental peculiarities." The work presented here attempts to be fragmentary in this sense too.¹

Where by force of circumstance I have had to be most fragmentary in the first sense I have also found it possible to be fragmentary in the second sense. The work has been most stimulating where the types of surviving documentation are the greatest and therefore least susceptible to "exhaustive" study. By contrast, where it has been possible to be most thorough in the study of the records, I have found that the conceptions suggested by the results to have been

¹G.W.F. Hegel, Reason in History, translated by R.S. Hartman (New York, 1953), pp. 9-10.

least rewarding.

Marx, in writing about "The Method of Political Economy," has a passage that, in retrospect, sums up an idea that has formed both my research and the organization of this its results. "The concrete is concrete because it is the concentration of many determinations, hence unity of the diverse. It appears in the process of thinking, therefore, as a process of concentration, as a result, not as a point of departure."¹

The chronological sequence of our investigation is partially represented in the organizational sequence of the chapters of this thesis. Each is a reflection of a progress in the work that has been determined by the progressive reconstitution of the subject of our study.

A dictum of Roman law, sine lege non delictum est, expressed our starting point. Because we sought to avoid the difficulties of an ahistorical or idealist conception of crime, our research was strictly confined to what was prosecuted in the criminal courts, and we embarked on the time-consuming project of collecting statistics from the judicial repositories of eighteenth-century London. Statistical summaries of such work and the type of interpretation which they invite are open to several objections, not to speak of the difficulties of using records that are two centuries old. The general objections are of two sorts: technical and methodological. It is of great importance

¹Karl Marx, Grundrisse, translated by Martin Nicolaus (1973), p. 101.

that they be distinguished clearly.

We argue that the technical objections to using criminal statistics as an index of criminality are soluble. If these arguments are found persuasive, the data so collected reflects not only the enforcement and administration of the criminal law, but in addition reflects the actualities of the secular and seasonal movements of London criminality. The knowledge thus gained does not in itself provide us with an answer to our fundamental concern, the relation between crime and the labouring poor in the eighteenth century, but nor had we expected it to. In the manner of Quetelet or Guerry, the pioneering positivists of criminology, we had expected to compare our criminal series with quantified series of other "social facts." We found that not only were the results of these comparisons disappointing, they were of such a nature that we were led to criticize the concepts that had led us to undertake this type of enterprise to begin with.

This occurred in our investigation (as it occurs in this thesis) when we approached the problem of "poverty" or the "standard of living." Those ideas, in societies dominated by the capitalist mode of production (we had to recall), are composed by the two concepts of "price" and "wage." We discovered no quantitative relation between prices and criminality nor between wages and criminality

(which is not to say that no such quantified relation existed or that none will be discovered). However, such an unlikely finding contradicted (we thought) the reflections of Mandeville and Defoe, about whose views on the insubordination, criminality, and outrages of the labouring poor we had formed great respect. It required us not so much to examine the technical procedures of our research as to examine the concepts of "price" and "wage," and in particular to reconstitute them to the specific reality of the social relations of London during the Period of Manufacture. Even as we did this our concept, "crime," underwent reconstitution, and our thinking and our plan had to alter accordingly. In effect, we found that neither our data nor our attempts to interpret them were in their own terms deficient, (though some may wish to argue at this point); rather what we had failed to do was to examine the concepts by which any of the interpretations we had anticipated were composed. We allowed the possibility of different results appearing in the relations of various "factors" to crime; we omitted a qualitative criticism of the "factors" themselves.¹

¹Positivism presents a serious methodological problem (as it occurred in this work) that is compounded by a technical one of criminology. Criminologists are apt to confuse the two. See for instance, Ian Taylor, Paul Walton, and Jock Young, The New Criminology: For a Social Theory of Deviance (1973), p. 11.

Our work *proceeds* apparently from the general and the abstract to the specific and concrete. The first part presents the results of investigations in the judicial records of London in a way best apprehended in the form of tables and graphs which show the relative and absolute amounts and types of crimes. Then these results are compared to other serial information, prices, mortalities, and wages. The last parts of the thesis discuss, on the other hand, particular types of crime within particular, "accidental" settings of social production. From these studies of the local and particular, I have been forced to re-examine and then discard some prevalent views of the development of English accumulation, particularly in London, including some of those that caused me to begin the work that is presented in Part One. Therefore, in an important respect the apparent order of this thesis is opposed to its actual order: the particular concepts ordering the first part had to give way to the general ideas that emerged in the second part. For this reason the subject is progressively reconstituted. It is not, as it were, presented from different points of view, nor approached by differing "methods." On the contrary, our subject matter is successively revealed until at the end we can begin to lay bare some of the real elements of class struggle in Period of Manufacture.

PART ONE:

SECULAR AND SEASONAL MOVEMENTS IN LONDON CRIMINALITY:
A FIRST APPROXIMATION OF THE PROBLEM

"In the Sessions-paper of the Old Bailey there are strong facts. House-breaking is a strong fact; robbery is a strong fact; and murder is a mighty strong fact; but is great praise due to the historian of these strong facts?"

James Boswell,
The Life of Samuel Johnson

Chapter One:

SOME SOUNDINGS IN THE JUDICIAL RECORDS

The present work is neither a history of the administration of justice in London during the first half of the eighteenth century nor is it a history of the criminal law during that period. Each of these subjects has received serious scholarly study elsewhere and while these may have some failings it is not the purpose of the present study to correct them.¹ Ours is a study of London crime and its relationships to the London labouring poor, a subject that is distinguishable from the history of the law or the administration of justice, but one that is similar to them nonetheless. In one vital respect our subject requires knowledge of the former ones, that is, in the respect that the principle sources for the study of each are the same, namely, the records of the criminal courts. There are a great number of these and they are of several different sorts. Our first questions of crime in this period of history - what were the crimes? how many of them were committed? - thus can only be answered after we have systematically made soundings in the judicial records. They of course survive in a particular form, a form determined by the institutions and practise of the eighteenth century administration of justice in London.

No single court had a geographical jurisdiction that was at once inclusive of "London" and exclusive to it. For us "London" means an area that includes the City of London, the City of Westminster, the Borough

¹ For the administration of justice in this period I refer to Radzinowicz, 4 vols. For the history of the law during this period I refer to William Holdsworth, A History of English Law, 14 vols. (1909-1921), volumes i, ii, vi, x, and xi especially.

of Southwark, and several parishes of Middlesex, an area similar to the one, "now in the modern acceptation," that Daniel Defoe delimited in his fifth letter of his Tour through the Whole Island of Great Britain (1724-1726), or that which the cartographer John Rocque described in his "Survey of London" of 1746. "That nothing in the world does, or ever did, equal it" as Defoe said, may or may not be true.¹ Certainly no single criminal court equalled it. We may identify the criminal courts having geographical jurisdictions over this area as follows.

In the City and Liberties of London three Commissions enjoying competence to try criminal cases in court met eight times a year at the Old Bailey. They were those of the Peace, of Oyer and Terminer, and of Gaol Delivery. By the eighteenth century no substantial difference of procedure, competence or practise separated the work of the Commissions of Peace and Oyer & Terminer in London. They tried less serious offenses than those heard before the Commission of Gaol Delivery. The three Commissions met at the same place. The justices of each Commission were substantially the same. The Commissions met upon successive days at the Old Bailey.²

The City and Borough of Westminster enjoyed a Commission of the

¹ A Tour through the Whole Island of Great Britain, 2 vols., Everyman edition (1962), i, p. 314.

² The most adequate description of institutions of criminal justice in the City during the eighteenth century must be: London Corp. R.O., A Guide to the Records in the Corporation of London Records Office and the Guildhall Library (1951).

Peace particular to it which met four times a year, with the Middlesex Sessions of Peace at Hick's Hall in St. John's Street, Clerkenwell.

Members of this Commission usually held a concurrent position in the Middlesex Commission of the Peace. Both Sessions were often led by the same Chairman.¹

The Middlesex Sessions of the Peace and of Oyer and Terminer met with the Westminster Sessions but separately from the City Sessions of Peace. The Middlesex justices met in Sessions of the Peace eight times a year.² In 1740 it met on 14 January, 25 February, 14 April, 20 May, 7 July, 29 August, 9 October, and 1 December. The Middlesex Sessions of the Peace, Oyer and Terminer, and Gaol Delivery are the most important to the student of eighteenth century London crime because within its jurisdiction resided the largest proportion of the London population.³ It contained (among others) the great north-western parishes of Holborn and St. Giles-in-the-Fields, the northern "suburbs" of St. Luke's, Clerkenwell, Shoreditch and Spitalfields, and the parishes of the East End,

¹ W. H. Manchée, The Westminster City Fathers (The Burgess Court of Westminster), 1585-1901 (1924), passim, describes the institutions in Westminster of the administration of justice.

² K. Goodacre and E. Doris Mercer, Guide to the Middlesex Sessions Records, 1549-1889 (1965) is the most accurate description of the Middlesex criminal justice system, in the eighteenth century. But see also E. G. Dowdell, The Economic Administration of Middlesex from the Accession of Charles II to the Death of George II, undated bound typescript in G.L.C.R.O. (Mddx. Div.), and I. E. V. Forrester, "The Middlesex Magistrate, 1760-1820," unpublished M.A. thesis (University of London, 1933).

³ Estimates of the population of London parishes at mid-century may be found in George, Appendix III, pp. 408-412.

Ratcliff, Wapping, Shadwell, Whitechapel, Bethnal Green and St. George's.

The Middlesex Commission of Gaol Delivery met at the Old Bailey with the City Sessions of Gaol Delivery. As the latter concluded deliberations, the former began them. In 1740 the dates of their meetings were as follows:

<u>City</u>	<u>Middlesex</u>
14-16 January	16 January
25-27 February	27 February
14-16 April	16 April
20-22 May	22 May
7-9 July	9 July
1-3 September	3 September
13-16 October	15 October
2-4 December	4 December

Old Bailey thus was the site of the most important London criminal court.

The Justices of the City of London enjoyed exclusive competence to try offenses in those parishes south of the river comprising the Borough of Southwark, and sometimes they met separately for this purpose. The Justices of the Peace having jurisdiction in other London parishes south of the river met in Surrey Sessions of the Peace and the Commission of Gaol Delivery for these parishes met at the appropriate Assize Court of the Home Circuit. In many senses Deptford and Greenwich formed part of London though they were not linked to London by continuous buildings. Their inhabitants belonged to the same "labour market" and the main activity performed in each (shipping and ship-building) should of course be considered as part of the Port of London. Criminal jurisdiction in these areas belonged to the appropriate West Kent and Assize Courts. Except in special cases we have largely neglected the areas south of the

river. We have done so in part because Professor J. M. Beattie has made them part of his own study, and in part because from the point of view of the number of crimes indicted at their courts the area was insignificant in relation to the crimes arising in the City, Westminster and Middlesex.¹ In the 1730s for example the number of indictments arising from the Southwark Sessions rarely exceeded twenty.² In 1740 in contrast 375 were indicted by the City Courts, 122 by the Westminster court, and 1,590 were indicted at the Middlesex Sessions.

We are faced then with three different judicial competences and three different geographical jurisdictions. The nine possible permutations, reflecting the actual complexities of criminal justice in eighteenth century London and resulting in some confusion in the surviving records, are (fortunately) considerably simplified in practise. All of the judicial competences of the City of London met at the same time and in the same place; their records are also united at the London Corporation Record Office (by the Guildhall). The Westminster Sessions of Peace acted closely on criminal affairs with the Middlesex Sessions of Peace and Oyer and Terminer. These records together with those of the Middlesex Sessions of Gaol Delivery are retained by the Greater London Council Record Office (Middlesex Division) in Queen Anne's Gate Buildings, Dartmouth

¹ See J. M. Beattie, "The Pattern of Crime in England, 1660-1800," Past & Present, No. 62 (February 1974).

² See London Corp. R.O., Southwark Sessions Files, Box 11. The files for 1740 are either misplaced or missing.

Street, Westminster.

Procedure in these courts was similar and there is not therefore substantial differences in the types of records that each holds though inevitably there are some differences in archival classifications. Any single case appearing before the court is reflected in documents illustrating the several stages of preparation, trial, disposal and punishment. We are concerned with roughly four types of documents produced alike in each court. They are the rolls, the register and calendars, the books, and the papers. Let us discuss each in turn.

Sessions rolls are the most valuable and the most numerous. They contain the official documents of court about those coming before it. Several varieties of documents are contained in the "roll." "The Calendar of Prisoners," a large vellum document extending sometimes to four or five feet length, contains a list of the prisoners in gaol. It wraps the other documents thus forming the "roll." Within it are "Writs and Jury Lists" containing the names of those eligible for grand and petty jury service. There are "Lists of Constables and Other Officers," "Memoranda of Licenses," and other odd notes. "Bills of Indictment" and "Recognizances" provide the great bulk of the "roll" and are of most importance to us. The latter are bonds signed by a justice to obtain a person's appearance at the sessions or to keep the peace. The former, the cell-form of the whole judicial body, recorded the charge, the time and place of the alleged offense, the name of the victim, the plea of the defendant, an enumeration (in cases of theft) of the goods stolen and of their value,

and sometimes the decisions respecting the conclusion of the grand and the petty jury. Indictments bills for Westminster, Middlesex, and the City Commissions of Peace and Oyer and Terminer and Gaol Delivery are (with only some exceptions) complete and well-preserved.¹

"Sessions Registers" and "Calendars" were composed by the Clerk of the Court for use in preparation of the next sessions, and as his record of the sessions itself. They contain a list of the prisoners, a list of indictments, a list of those on bail, the names of persons bound on their own recognizance, and in the case of indictments the names and parishes of the indicted are listed. The "Registers" are not well preserved for Middlesex Gaol Delivery in the eighteenth century. The "Sessions Calendars" include those of indictments, of commitments, and of prisoners, the latter called by the nineteenth century the "Newgate Calendar." In the City the "Index to London Indictments" falls into this group. The Middlesex "Calendar of Indictments" though said to be specific to Middlesex actually contains Westminster cases too. Neither the "Registers" nor the "Calendars" of indictments mention the "style" or the parish of the indicted persons; but as they separate conveniently misdemeanors from felony they

¹ Of the indictments bills that I have studied (about two and a half thousand) none contain the occupation of the accused, though often they have a general description of the person's "style," as "labourer" or "gentlemen." For a study like ours that examines crime and the labouring poor this is a great disappointment. However, we should say that this omission is not true of all indictments bills. In the indictments with which Professor Beattie has worked the occupation of the offender is usually stated. See J. M. Beattie, "Towards a Study of Crime in 18th Century England: A Note on Indictments," in Paul Fritz and David Williams (eds.), The Triumph of Culture: 18th Century Perspectives (Toronto 1972).

present information about the indictments appearing at each sessions in a far more convenient if less full form than the indictments bills. We have used them extensively for aggregate and secular quantification.

"Sessions Books" are complete for Westminster, Middlesex, and the City in the eighteenth century. They contain a record of the business of the court: a preamble to the sessions, the names of the justices present, names of the sworn jurors, names of those bound to appear in court, summary of the orders of court, notes on each indictment, names of prisoners and much miscellaneous information which doesn't make much sense unless compared with the "Registers," the "Orders of Court Books" and the "Sessions Papers." What the "Sessions Books" contain is more conveniently found in other classes of judicial records, so we have not used them very much.

The last class of important London judicial documents, the "Sessions Papers," is the most informative, the richest, but at the same time the most difficult to use systematically in that the material provided is not susceptible to a serial summary. They contain lists of prisoners for trial, appeals from parishes and individuals against Orders of Court, petitions from prisoners, apprentices and others, and most important, they contain the informations, examinations, and confessions of informants and criminals. If the indictment bill is the cell of the judicial body these papers are the muscle and blood. In them the judicial process, crime and punishment, comes alive.

Finally we must note an important omission from the records. In

contrast to the French judicial system, in London no verbatim record or synopsis of the actual court procedure ^{was} ~~were~~ kept. The London judicial records contain documents reflecting the court's preparation for meeting, a bare record of the trial proceedings, and some notations about the business of the trial insofar as there were necessary to record for the next meeting of court. While there is then no manuscript minutes of court examination, there is, in an extraordinary document, a published summary of the proceedings of court. It became the practise early in the eighteenth century (at least) to publish the trials at the Old Bailey after the conclusion of each Sessions in a pamphlet entitled The Whole Proceedings upon the King's Commission of Oyer and Terminer and Gaol Delivery for the City of London and also the Gaol Delivery for the Country of Middlesex. The pamphlet is a more or less official document though its exact relation to the Old Bailey justices is somewhat obscure. We know that in 1725 its printer and secretary (who transcribed the trials) were ordered to attend the Court of Aldermen as though they were its inferior officers.¹ In 1756 the Town Clerk was ordered by the Aldermen to describe "what Orders he can find relating to the printing and publishing the Proceedings at the Sessions at the Old Bailey."² In 1777 ~~the~~ its printers were ordered by the Court of Common Council to deliver to the serjeants 304 copies of The Proceedings which were to be delivered gratis to the

¹ Lond. Corp. R.O., Repertories, vol. 129, f. 368 (29 September 1725), and fols. 376-7 (7 October 1725).

² Ibid., vol. 160, fo. 341 (11 June 1756).

Judges and the City Officers.¹ In 1778 we find records of the contracts between the printer of The Proceedings and City's Chamberlain which show that the right to print The Proceedings was sold in return for the above mentioned free copies and a fee of a hundred pounds per annum.²

Quite good runs of The Proceedings may be found in the British Museum, the Guildhall Library, and (especially) the Library of the Lincoln's Inn. All of these begin in 1730 and some historians have been led to believe as a result that The Proceedings were not in fact published before this time.³ However, the Rare Book Room of the Harvard University Law Library contains a pretty complete series of The Proceedings for an earlier period between 1714 and 1729. Individual numbers of The Proceedings survive for the period between the Restoration and 1714 though I have not found a single library containing a good run of them.⁴

We may summarize the classes of London judicial documents that survive in the form of a table:

¹ Lond. Corp. R.O., Journals of the Court of Common Council, vol. 67, pp. 54-55.

² Ibid., vol. 68, 240-241.

³ Nigel Walker, Crime and Insanity in England (Edinburgh 1968).

⁴ Donald Wing, Short-Title Catalogue of Books Printed in England...1641-1700 (New York, 1951) lists sixty-four different Proceedings published between the Restoration and 1700.

City	Rolls	Books	Papers	Registers	<u>Proceedings</u>
Peace	x	x		x	
Gaol Delivery	x	x	x	x	x
Westminster					
Peace	x	x		x	
Middlesex					
Peace	x	x		x	
Gaol Delivery	x	x	x	x	x

Faced with this great amount of documentation the historian must make a number of choices. Unlike the users of parochial records the historian who enters judicial repositories of the eighteenth century ~~does~~ cannot benefit from an elaborate infrastructure of work completed by generations of antiquarian and local historians. What do we wish to discover? Which series of documents is most suited to the purpose? When several types might serve the purpose which are most convenient to use? We have made four different soundings in this sea of documentation. The statistical material presented in this chapter is based on three of them. We describe each in turn.

In our first soundings we studied every class of judicial record of Middlesex and Westminster for 1737. The purpose of this sounding was to reconnoitre at first hand the type of information each documents provides and to discover the interrelations among them in order to make a sensible decision for our other soundings. While the guides to the London judicial records ~~offices~~ provide adequate help in the making of strategic decisions (as it were), tactical decisions that may risk several weeks of

labour should be based on a first-hand, preliminary reconnoitering.¹

The familiarity with the types of records thus gained allowed us to choose which to use in order to derive serial or quantified information about the amounts, types, and places of London crimes.²

In our second sounding we were interested in learning the amounts of crimes that were reported through the judicial institutions of London

¹ We examined in the G.L.C.R.O. (Middx. Div.) the following: the General Orders of Court, Minute Books, MJ/OC/4 (1733-1743); the Instruction Books for Indictments, MJ/SBJ/3 (1736-1744); the Sessions of the Peace and Oyer & Terminer Books, MJ/SBB/941 (January 1736-37); the Sessions of the Peace and Oyer & Terminer Rolls, MJ/SR/944 (May 1737); the Process Registers of Indictments, MJ/SBP/14 (May 1737); Sessions of Gaol Delivery Rolls, MJ/SR/2677 (May 1737) and 2670 (January 1736/7); the Middlesex Gaol Delivery Book, MJ/GBB/315 (January 1736-7); Westminster Sessions of the Peace Roll, WJ/SR/2668 (January 1736-7); the Westminster Instruction Book for Indictments, WJ/SBJ, January 1736-7; the Middlesex Calendar of Indictments, MJ/CJ/4; and the Sessions Papers, MJ/SP for 1737.

² May I stress the importance of first-hand investigation into the archives by reporting a mistake I made at the beginning of my researches? Blinded by the excitement of first entering the judicial records of London and conscious of the fact that few had gone before me with the purpose of systematic study, I mistook the complexities of these artifacts of the administration of the law for an embarras de richesses of the documentation of crime. Taking the Process Registers of Indictments for a Calendar of Indictments I confused Sessions of the Peace with Sessions of Gaol Delivery. Consequently I, in effect, found in neighbourhood brawls and family quarrels (assault and petty theft being the usual crimes appear at the Sessions of the Peace) an index to the rest of the felonies in the calendar. The law was a thicket of obscurities, and its records represent as it were the archaeology of the administration of justice as well as historical evidence of crime. Those unwilling to dig through the former in their impatience to discover the latter will waste time and make mistakes. See Peter Linebaugh, "Crime in London Between 1720 and 1740: A Survey of the Historical Evidence," unpublished M.A. thesis (Columbia University 1969).

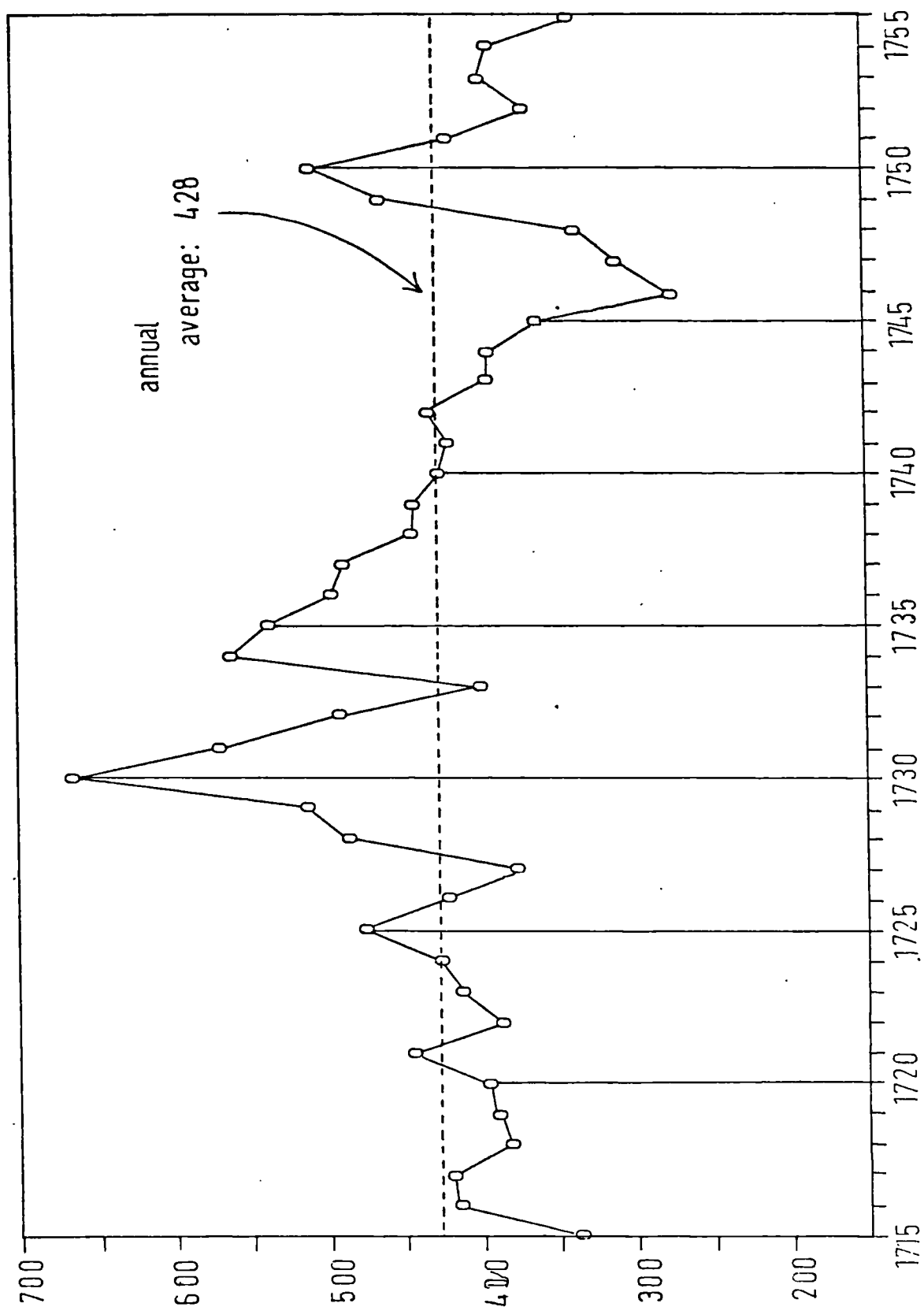
during the first half of the eighteenth century. We were able to obtain this information for the City of London from an alphabetical listing of indicted persons that was recorded at each Session. It includes, without distinguishing between, indictments appearing before the Sessions of the Peace and the Sessions of Gaol Delivery. A Calendar of indictments for Westminster and Middlesex provided us with similar information. However, in this case the four volumes of the Calendar that we used distinguished between trespass (Sessions of Peace) and felonies (Sessions of Gaol Delivery) by recording the former on the left-hand page and the latter on the right hand page.¹ The results of this work provide as good a secular index of the amount of crimes committed in the first half of eighteenth century London as is likely to be obtained.

The results of our second sounding are summarized in the graphs on the following pages. Graph I, "Indictments in the City of London, 1715-1755," shows that an average of 428 indictments were recorded in the City each year. In 1730 more than 650 people were indicted; in 1746 fewer than 300. Two peaks of indictments are noteworthy, that of 1730 and that of 1749-1750. Graph II, "Indictments in Middlesex, 1699-1754," in addition to showing the total number of Indictments for Middlesex and Westminster over the period, breaks them down between trespass (appearing at Sessions of the Peace) and felony (appearing at Sessions of Gaol Delivery).

¹ Lond. Corp. R.O., Index to London Indictments, 1714-1755, vol. i, 209E. And G.L.C.R.O. (Mddx. Div.), Calendar of Indictments, MJ/CJ, vol. ii (1689-1709), vol. iii (1709-1724), vol. iv (1724-1740), vol. v (1740-1754).

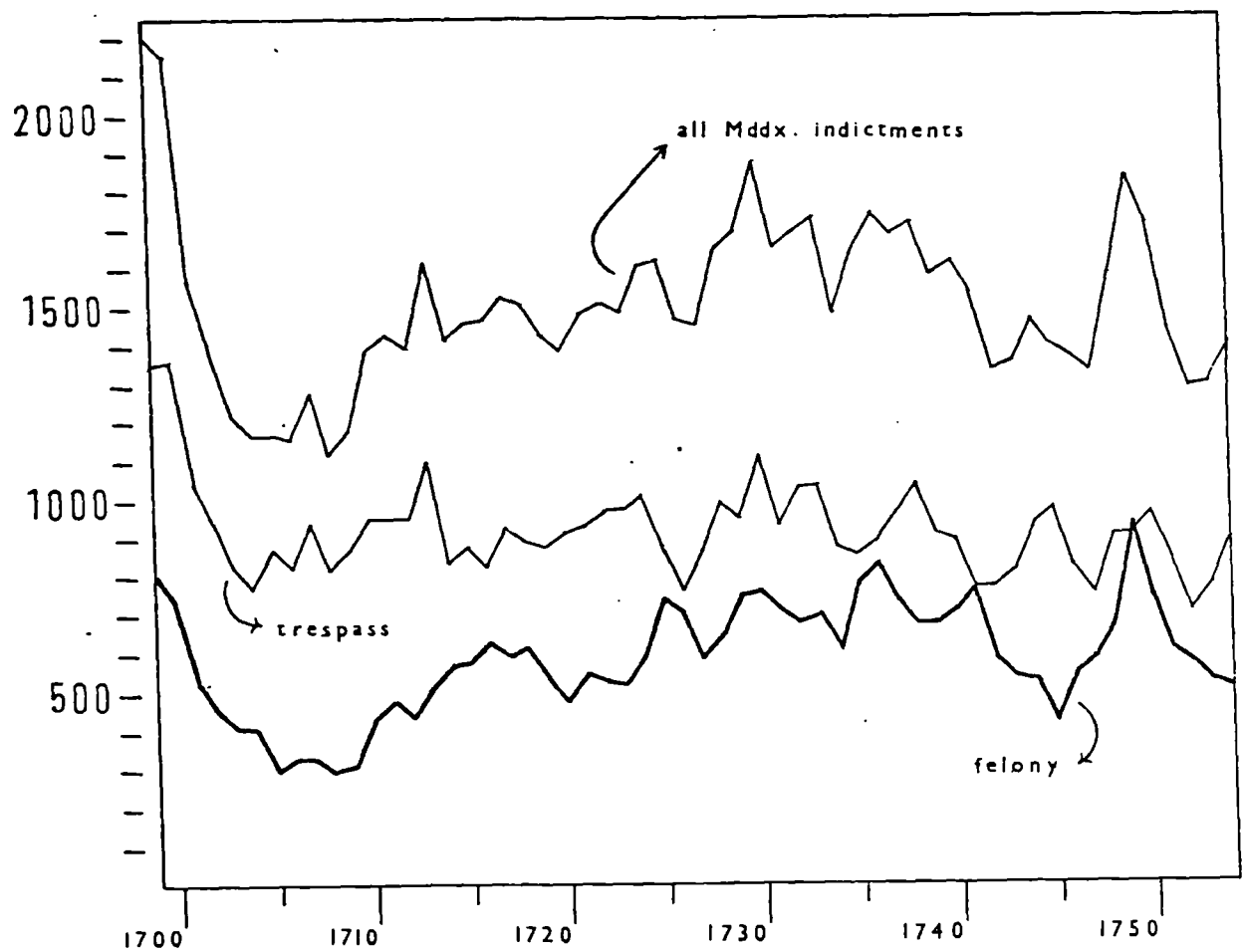
GRAPH I.

Indictments in the City of London, 1715-1755.



GRAPH II.

Indictments in Middlesex, 1699 - 1754.

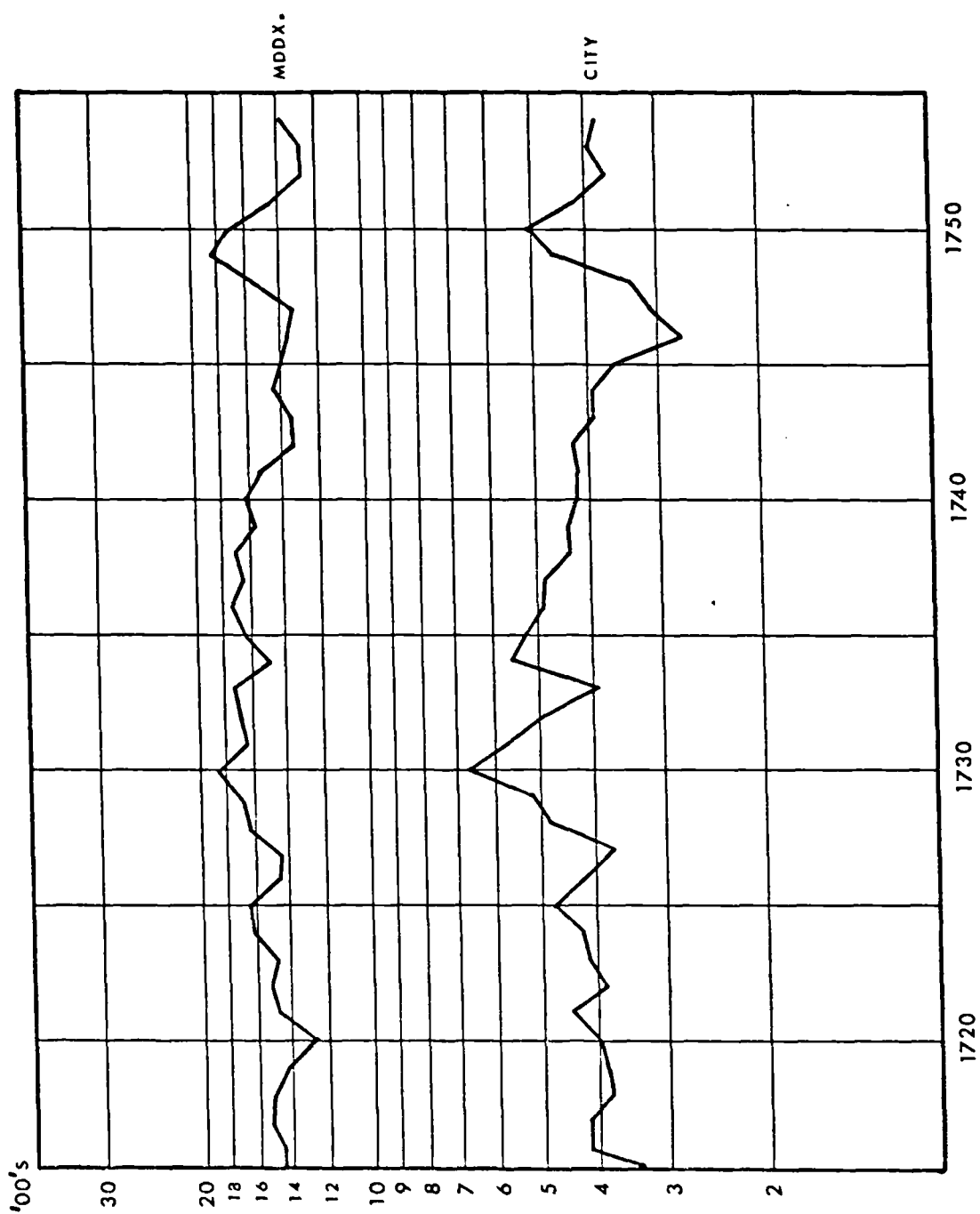


Between two thousand and fifteen hundred indictments were brought to court each year, that is, between four and five times the number appearing at the City Sessions. It can be seen that the late 1690s had the most number of indictments recorded during the period, though this is more the result of the great number of indictments for trespass than for felonies. Graph III, "Indictments in the City and Middlesex, 1715-1754," compares the Middlesex and Westminster indictments to those of the City.¹ It shows that the two curves usually moved together in the same direction, though the rate of change of annual indictments in the City was greater than that of Middlesex during the periods, 1724-1734 and 1746-1750. Graph IV, "Indictments in London (Middlesex, Westminster and the City), 1715-1754," consolidates the curves of the previous graphs showing the absolute number of indictments per annum and expresses this as a ratio of the number of indictments per one hundred thousand of the population. Graph V, "The Seasonal Spread of Indictments before the Middlesex Sessions of the Peace and Oyer and Terminer, 1699-1754," illustrates a seasonal regularity in the indictments for trespass whose characteristics (a small ascent in April and a small descent in May followed by a steep climb at the end of the summer that concludes with a sudden drop in the autumn) we can examine in more detail by virtue of our third sounding.

¹ In this graph, as with many others of this thesis, the y-axis is gradated on a logarithmic not an arithmetic scale. The former is an accurate way of comparing the rates of change of different magnitudes.

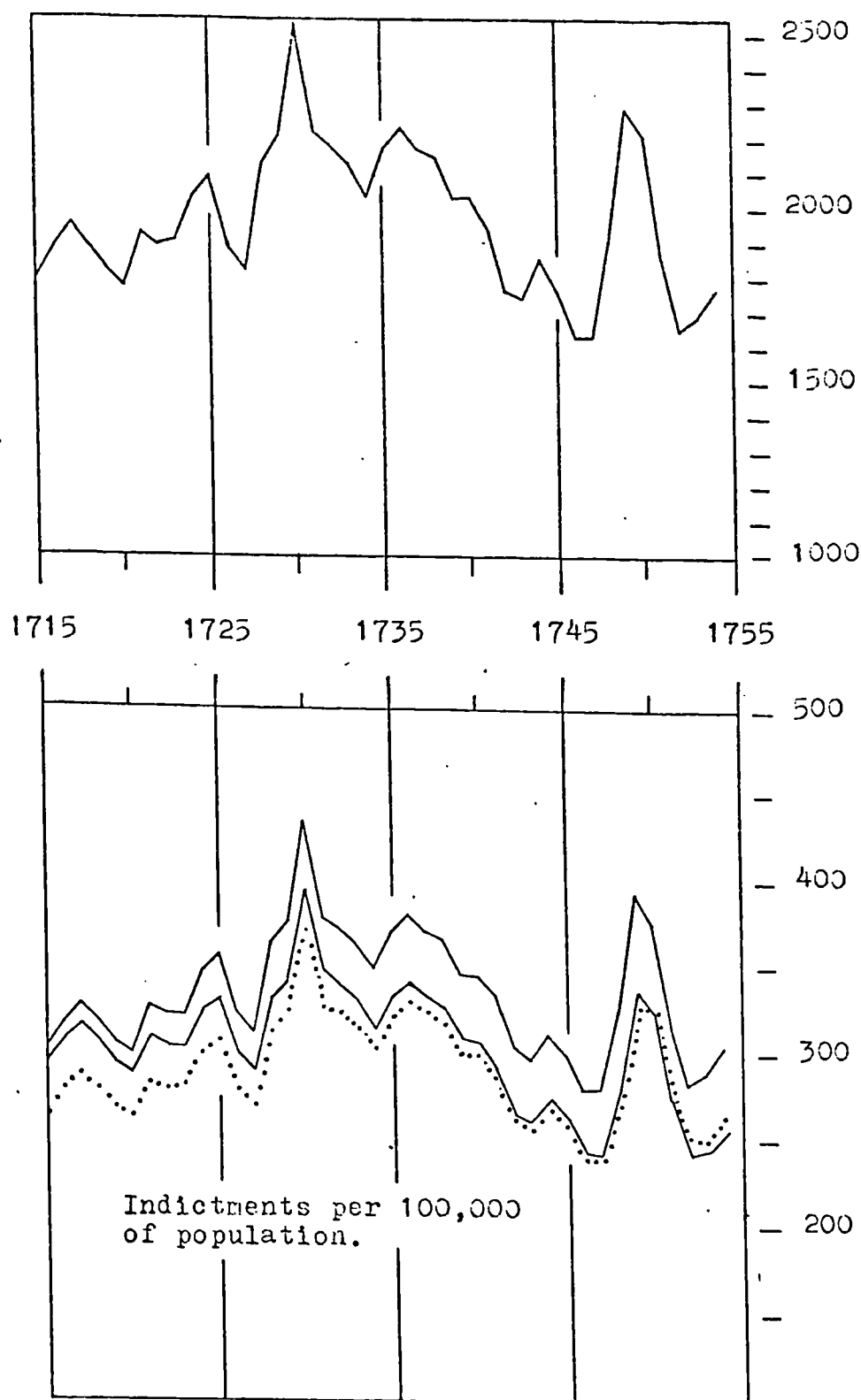
GRAPH III.

Indictments in the City and Middlesex, 1715-1754.



GRAPH IV.

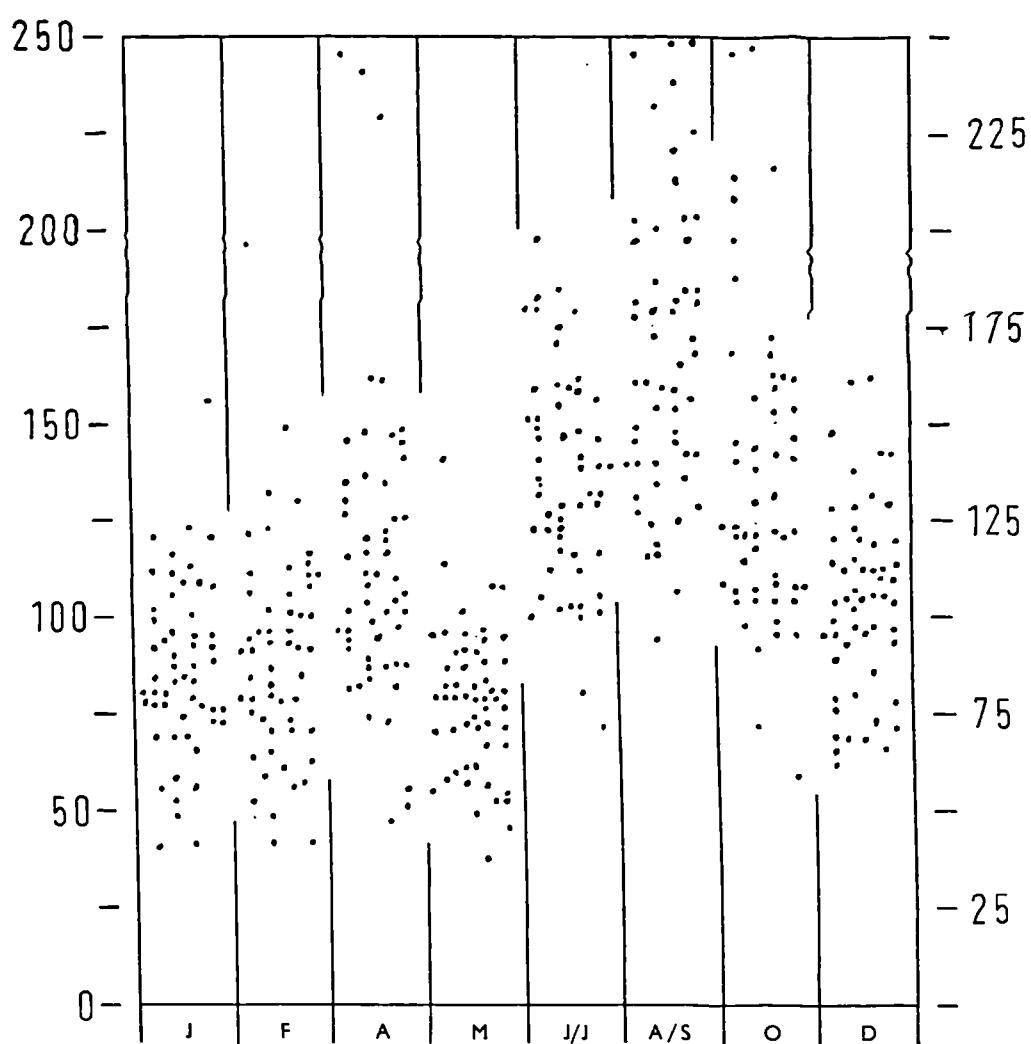
Indictments in London (Middlesex, Westminster and the City), 1715 - 1754.



Top line population constant at 535,000.
 Dotted line population constant at 675,000.
 Middle line population changes from 575,000
 (1700) to 675,000 (1750).

GRAPH V.

The Seasonal Spread of Indictments before the Middlesex Sessions of Peace and Oyer and Terminer, 1699 - 1754.



Our third sounding studied the indictments of Middlesex and Westminster at their Sessions of the Peace between 1721 and 1739.¹ It excluded the City and it excluded felonies appearing at Middlesex Gaol Delivery. A heavy price, but one that enabled us to examine the seasonal pattern discovered in our second sounding as it was reflected in individual Middlesex and Westminster parishes. The results of this sounding are expressed in four graphs that follow (Graphs VI - IX). These represent the average seasonal number of indictments of some Westminster parishes, some western parishes, some northern parishes and some eastern parishes of London.² Of the twenty-one parishes represented in these graphs only four (St. James, St. George's-in-the-East, Spitalfields and Shoreditch) deviate from the seasonal pattern discovered in our second sounding for Middlesex and Westminster as a whole.

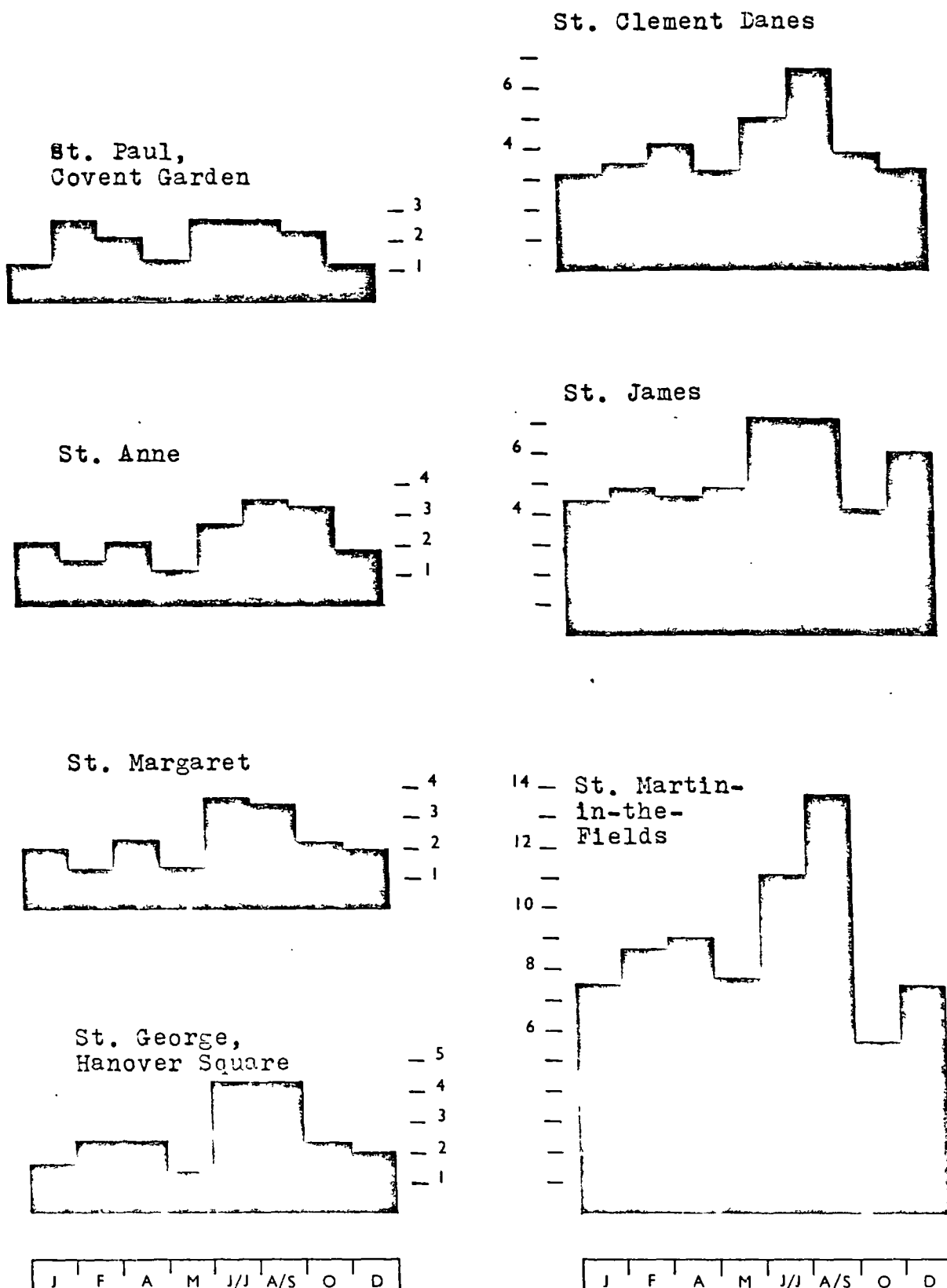
It may be objected that our third sounding established only seasonal patterns of the times that indictments came to trial and not the seasonal pattern of crimes. Our fourth sounding sought in part to determine the lag between the date of the commission of an indictable offense and the date of the indictment. We were able to do this by making a complete

¹ G.L.C.R.O. (Mddx. Div.), Process Registers of Indictments, MJ/SBP, vols. xi - xiv.

² Some of these parishes were created during the period: St. George, Hanover Square iv 1724 (10 Anne c. 11), St. George the Martyr iv 1723 (10 Anne c. 11), Spitalfields in 1729 (2 George II c. 10), St. George's-in-the-East in 1729 (2 George II c. 10), St. George, Bloomsbury, in 1731 (4 George II c. 19), and St. Luke in 1733 (6 George II c. 28). See M.D. George, Appendix B (III), pp. 406-7.

GRAPH VI.

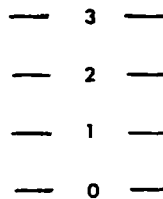
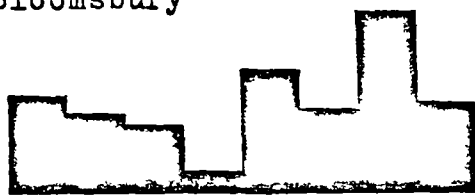
The Average Seasonal Variation of Indictments on the Sessions of the Peace in Some Westminster Parishes (1721-1739).



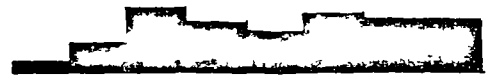
GRAPH VII.

The Average Seasonal Variation of Indictments on the Sessions of the Peace in Some Western Parishes of London (1721-1739).

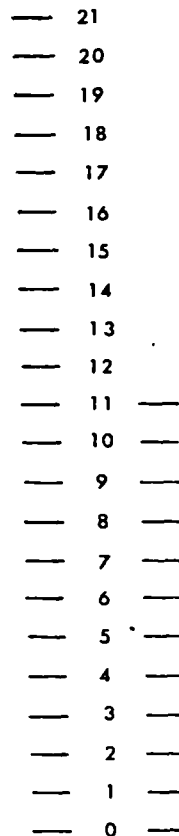
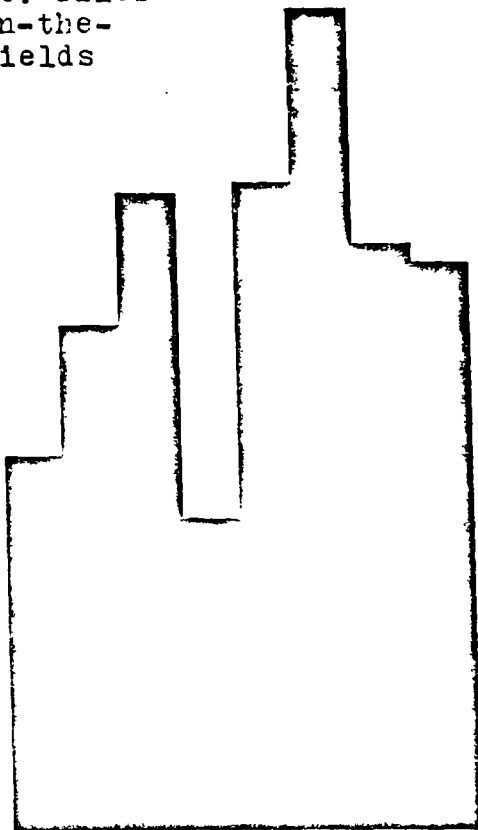
Bloomsbury



St. George the Martyr



St. Giles-in-the-Fields



Holborn

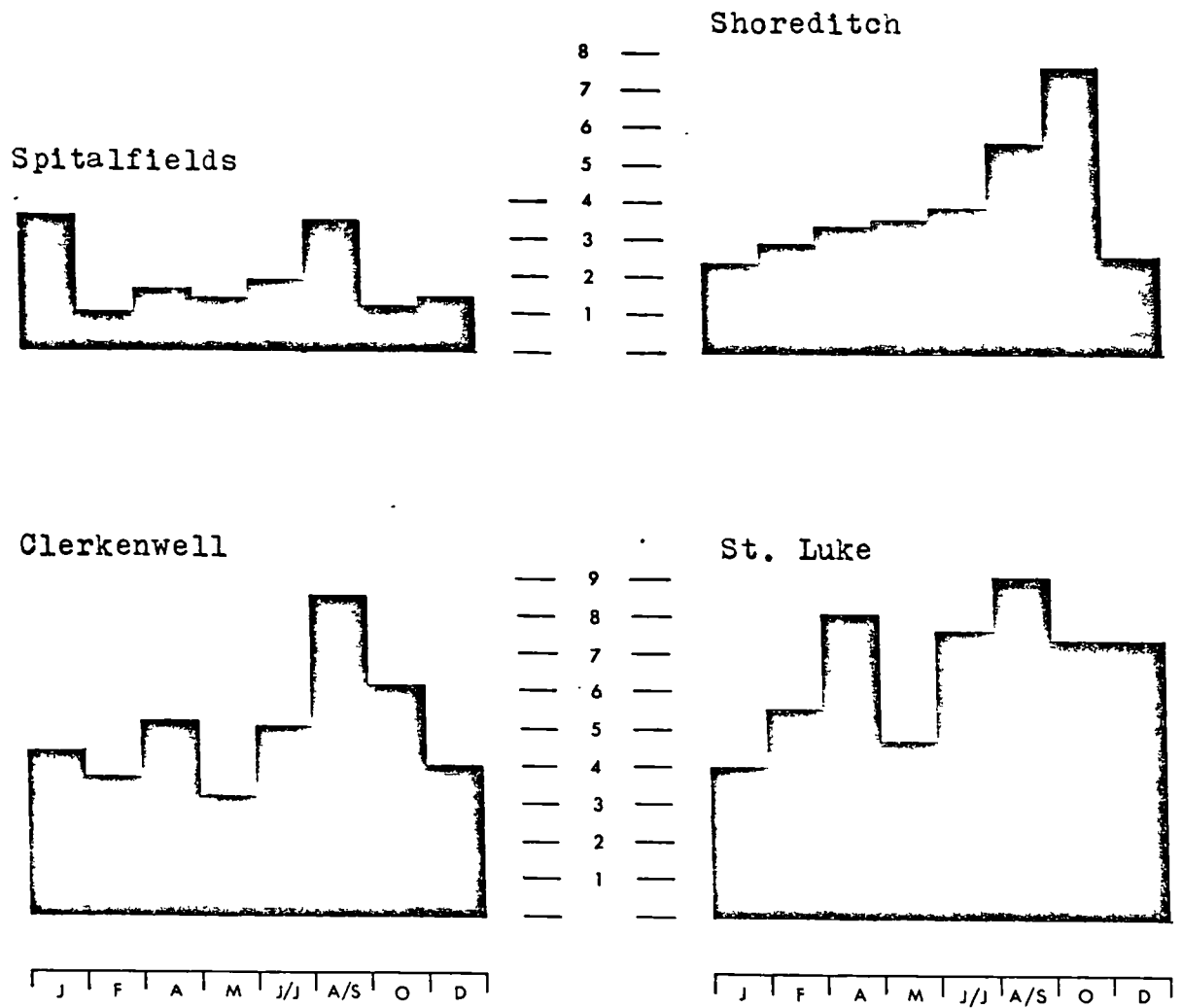


J F A M J J A S O D

J F A M J J A S O D

GRAPH VIII.

The Average Seasonal Variation of Indictments on the Sessions of the Peace in Some Northern Parishes of London (1721-1739).



GRAPH IX.

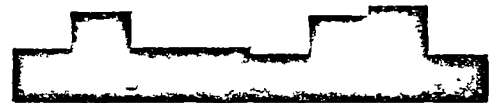
The Average Seasonal Variation of Indictments on the Sessions of the Peace in Some Parishes in the East of London (1721 - 1739).

Shadwell



— 4 —
— 3 —
— 2 —
— 1 —

Wapping



St. George-in-the-East



— 7 —
— 6 —
— 5 —
— 4 —
— 3 —
— 2 —
— 1 —

Aldgate

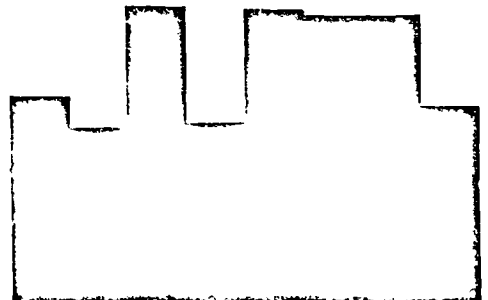


Whitechapel



— 9 —
— 8 —
— 7 —
— 6 —
— 5 —
— 4 —
— 3 —
— 2 —
— 1 —

Stepney



J F M A M J J A S O N D

J F M A M J J A S O N D

study of all the indictments appearing before London courts in 1740.¹

At the Middlesex Sessions of Gaol Delivery in April 1740, for example, 17 percent of indictments were for crimes that had been committed during the previous four weeks, 60 percent of indictments were for crimes that had been committed at a time of more than one month but less than two months before the date of the indictment, and 20 percent of the indictments were for crimes committed more than two months previous but less than five. Among the twenty-eight different types of Sessions meeting in 1740 (a year which for our purposes began with 1 January 1739/40 and ended 31 December 1740) we have determined the average lag between the date of the offense and the date of the indictment. For 13 percent of the indictments it was less than a month, for 51 percent of the indictments it was more than one month but less than two, and for 24 percent of the indictments it was more than two months but less than three. We have not in the graphs that follow showing the calendar of crimes compensated for these lags, except where otherwise stated.

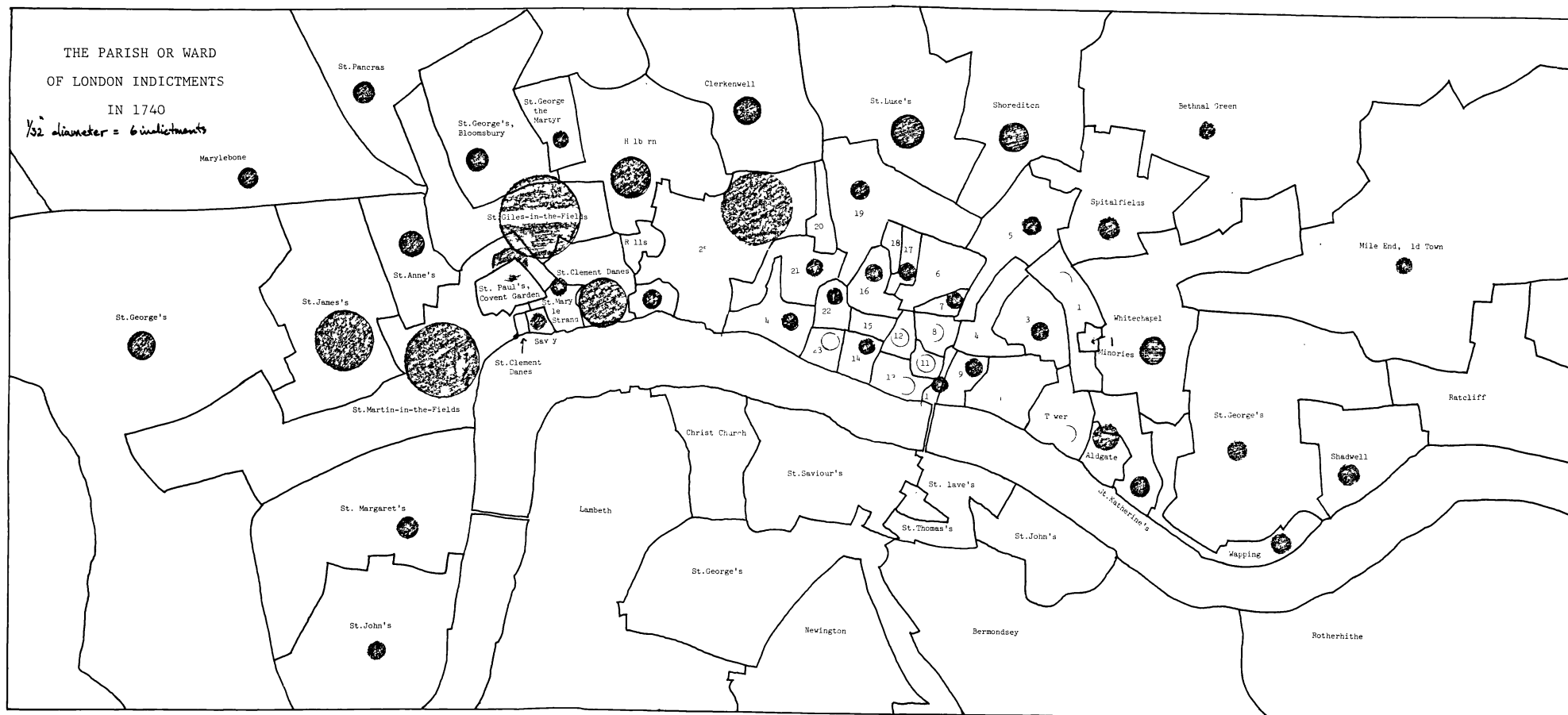
¹ We studied 1,966 indictments bills in the Westminster Sessions of the Peace, the Middlesex Sessions of Peace, Oyer and Terminer, and Gaol Delivery, and the City Sessions of Peace, Oyer and Terminer, and Gaol Delivery. See, G.L.C.R.O. (Mddx. Div.), Middlesex Sessions Rolls (Gaol Delivery), MJ/GSR (16 January 1739/40), MJ/GSR (27 February 1739/40), MJ/GSR (16 April 1740), MJ/GSR (22 May 1740), MJ/GSR (9 July 1740), MJ/GSR (3 September 1740), MJ/GSR (15 October 1740), MJ/GSR (4 December 1740), Middlesex Sessions Rolls (Peace and Oyer and Terminer), MJ/SR (14 January 1739/40), MJ/SR (25 February 1739/40), MJ/SR (14 April 1740), MJ/SR (20 May 1740), MJ/SR (7 July 1740), MJ/SR (29 August 1740), MJ/SR (9 October 1740), MJ/SR (1 December 1740), Westminster Sessions Rolls (Peace), WJ/SR (3 July 1740), and WJ/SR (8 October 1740); and the Lond. Corp. R.O., Sessions Files (Gaol Delivery, Peace and Oyer and Terminer), 14-16 January 1739/40, 25-27 February 1739/40, 14-16 April 1740, 20-22 May 1740, 7-9 July 1740, 1-3 September 1740, 13-16 October 1740, 2-4 December 1740.

Indictment bills provide us with much other information. The place (parish or ward) of residence of the offender is mentioned and from such information we are able to make a topography of London crime in 1740. This is presented in map, "The Parish or Ward of London Indictments in 1740." This shows that most indictments were committed outside of the City of London. It shows too that the heaviest concentration of indictments were in the parishes of St. Giles-in-the-Fields, St. Martin-in-the-Fields, and the ward of Farringdon Without. Graph X, "The Number of Indictments (absolute and relative to the Population) in Some London Parishes in 1740," attempts on the basis of quite uncertain population estimates to assess the parochial number of indictments in terms of parish populations.¹ We learn from this that the most "dangerous" parishes (Covent Garden, St. Anne's, Clement Danes, St. Martin's-in-the-Fields) were those of the West End and not, apparently, the "industrial" parishes of Spitalfields, Wapping, or Clerkenwell.²

The seasonality of crimes that our second and third soundings revealed can by our fourth sounding be revealed in other ways. Four graphs summarize these. Graph XI, "Calendar of Crimes Indicted at London Sessions of the Peace in 1740," shows that the annual seasonal rhythm of indictments we have come to expect (a short rise and fall between the first

¹ George, Appendix B ("Houses and Population"), pp. 408-413.

² This map should be compared to a later one (p. 375), "The Parish or Ward of Birth of the London Hanged in the Eighteenth Century." For reasons that cannot be anticipated here but that are explained later the ideas of "dangerous" and "industrial" are unsatisfactory and misleading.



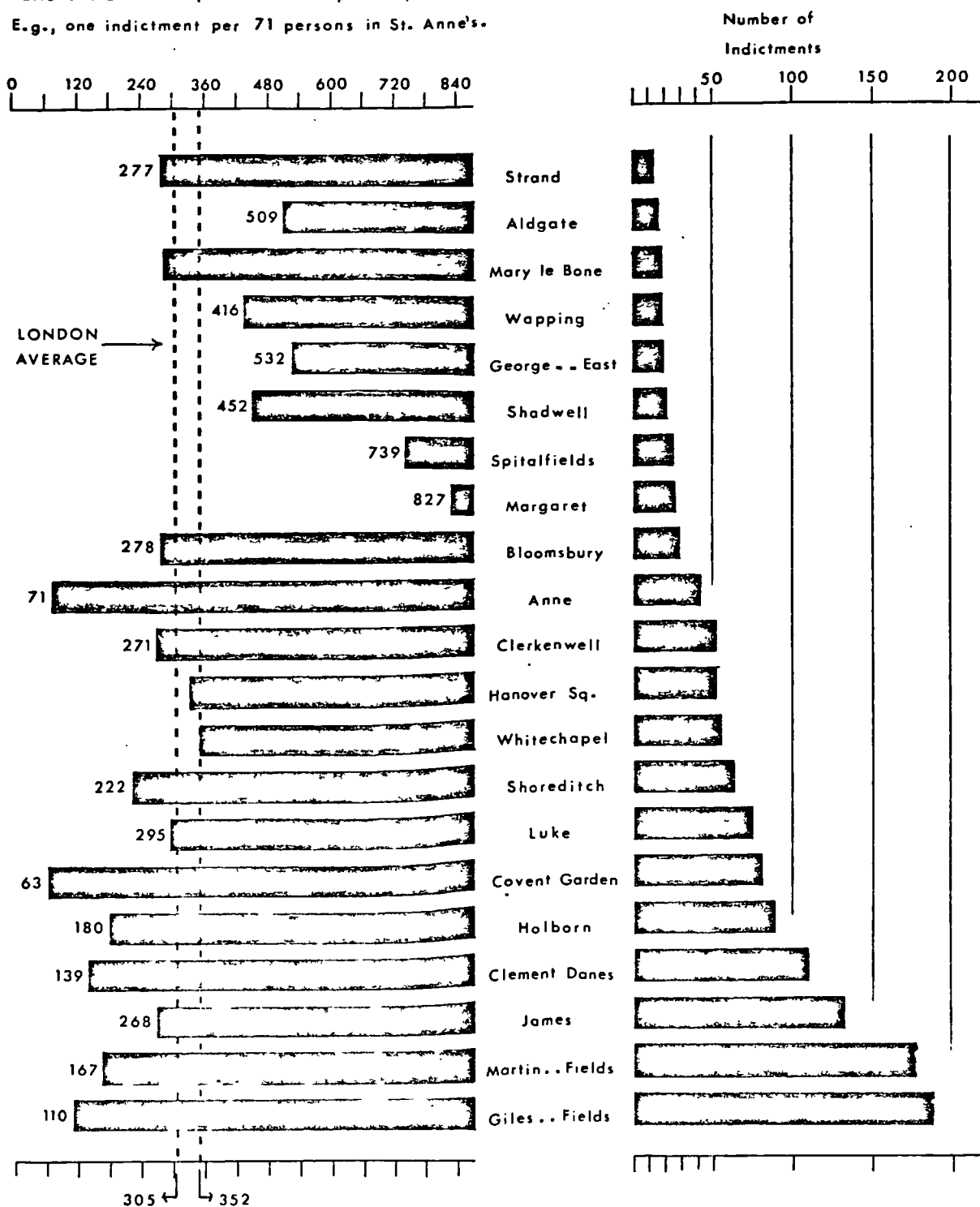
A KEY TO THE WARDS OF THE CITY OF LONDON

- 1..... Portsoken Ward
- 2..... Tower Street Ward
- 3..... Aldgate Ward
- 4..... Lime Street Ward
- 5..... Bishopsgate Ward
- 6..... Broadstreet Ward
- 7..... Cornhill Ward
- 8..... Langbourn Ward
- 9..... Billingsgate Ward
- 10..... Bride Ward Within
- 11..... Candlewick Ward
- 12..... Walbrook Ward
- 13..... Dowgate Ward
- 14..... Vintry Ward
- 15..... Cordwainers Street Ward
- 16..... Cheap Ward
- 17..... Colemanstreet Ward
- 18..... Bassinghall Ward
- 19..... Cripplegate Ward
- 20..... Aldersgate Ward
- 21..... Farringdon Ward Within
- 22..... Breadstreet Ward
- 23..... Queenhithe Ward
- 24..... Castle Baynard Ward
- 25..... Farringdon Ward Without

GRAPH X.

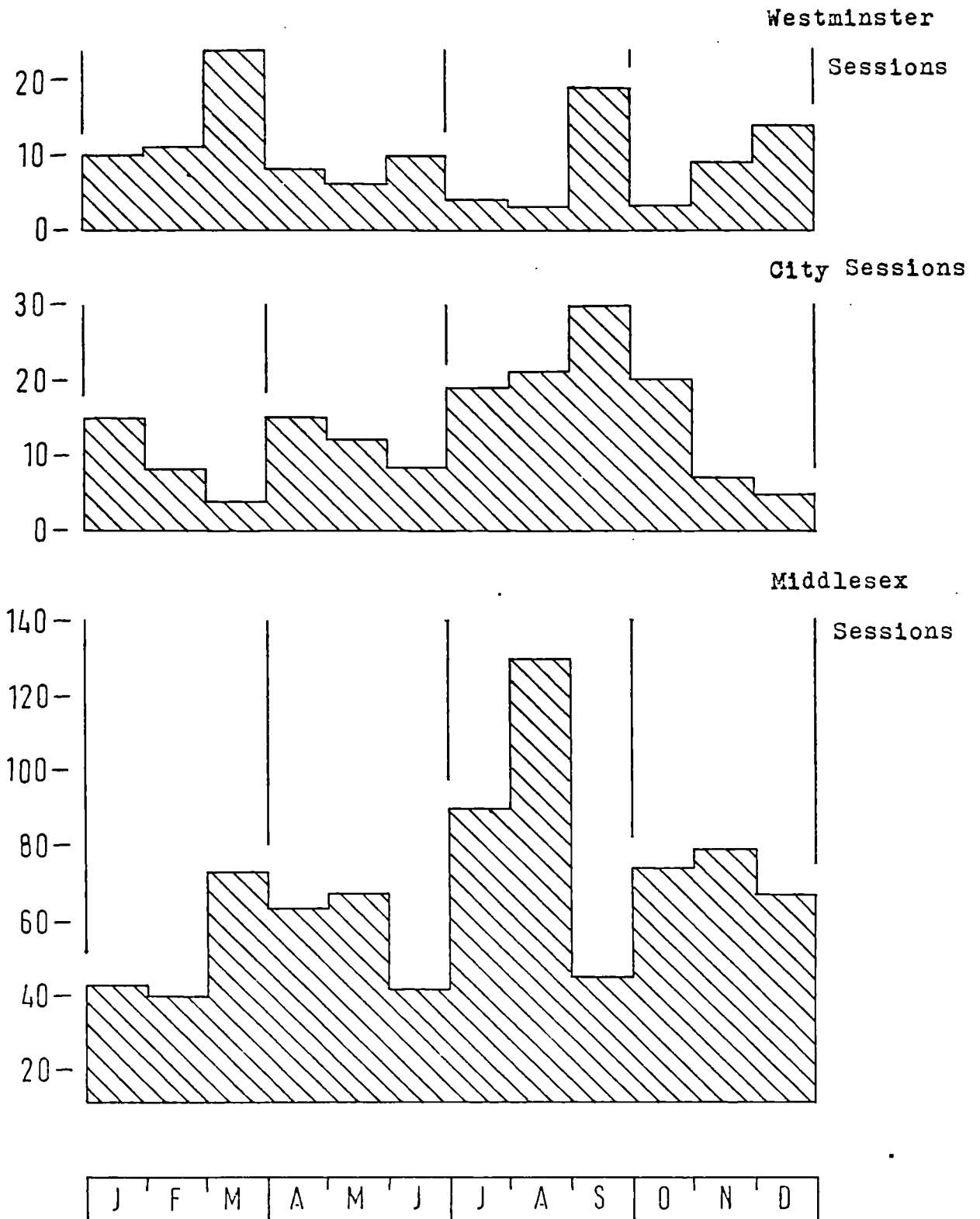
The Number of Indictments (absolute and relative to the population) in Some London Parishes in 1740.

Ratio of Indictments (constant at one) to Population
E.g., one indictment per 71 persons in St. Anne's.



GRAPH XI.

Calendar of Crimes Indicted at London Sessions of the Peace
in 1740.

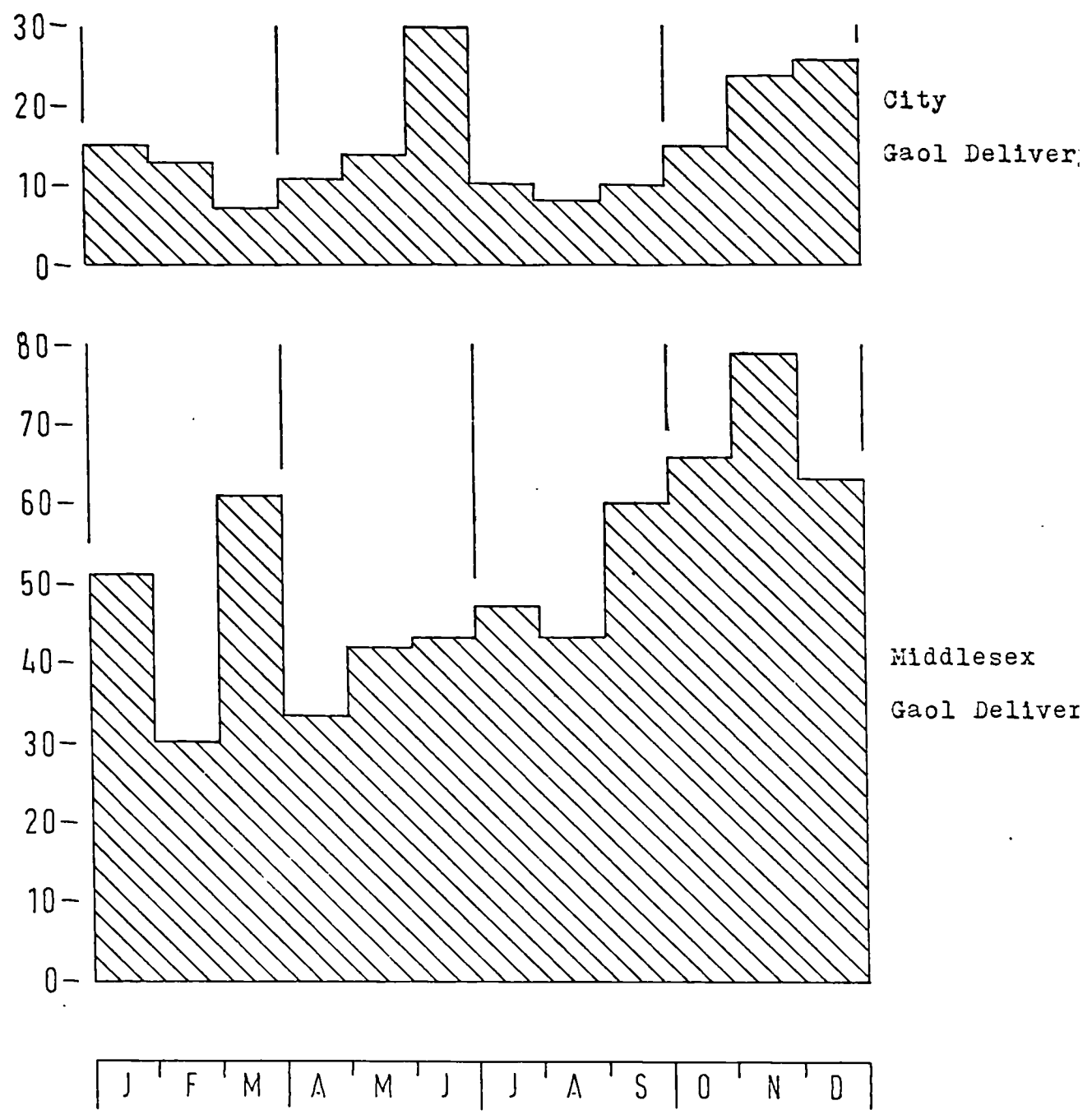


and second quarter and a rather more dramatic rise and fall at the end of the third quarter) is reproduced in the summaries of indictments for Westminster, Middlesex, and City Sessions of the Peace. Graph XII, "Calendar of Criminals Indicted at London Sessions of Gaol Delivery in 1740," compares the seasonality of indictments at Gaol Delivery of the City and of Middlesex. Graph XIII, "Calendars of Stealing in London in 1740," is based on an organization of the indictments of theft and not upon either one or the other of the major types of Sessions, though there is rough equivalence between Gaol Delivery and theft on the one hand and Peace and assault on the other. It will be seen that the seasonality of stealing both for those found innocent and those found guilty differs substantially from the pattern that we have so far uncovered. Both this and the following graph have been adjusted according to the delay between the time that the offense was committed and the time that it was indicted. This graph should be compared to the next one, graph XIV, "Calendars of Assaults in London in 1740." Here, the seasonality suggested by our other soundings is presented in the most dramatic form. Finally, graph XV, "Indictments (trespass & felony) in London (Westminster, the City and Middlesex) in 1740," compares the seasonality of indictments between of Sessions of the Peace and Sessions of Gaol Delivery and shows that the equivalence we've made between theft and Gaol Delivery on one hand and between assault and Peace is justified, at least as concerns the pattern of seasonality in each.

The study of the bills of indictments allows us to distinguish between the criminality of men and of women. Table I, "London Indictments in

GRAPH XII.

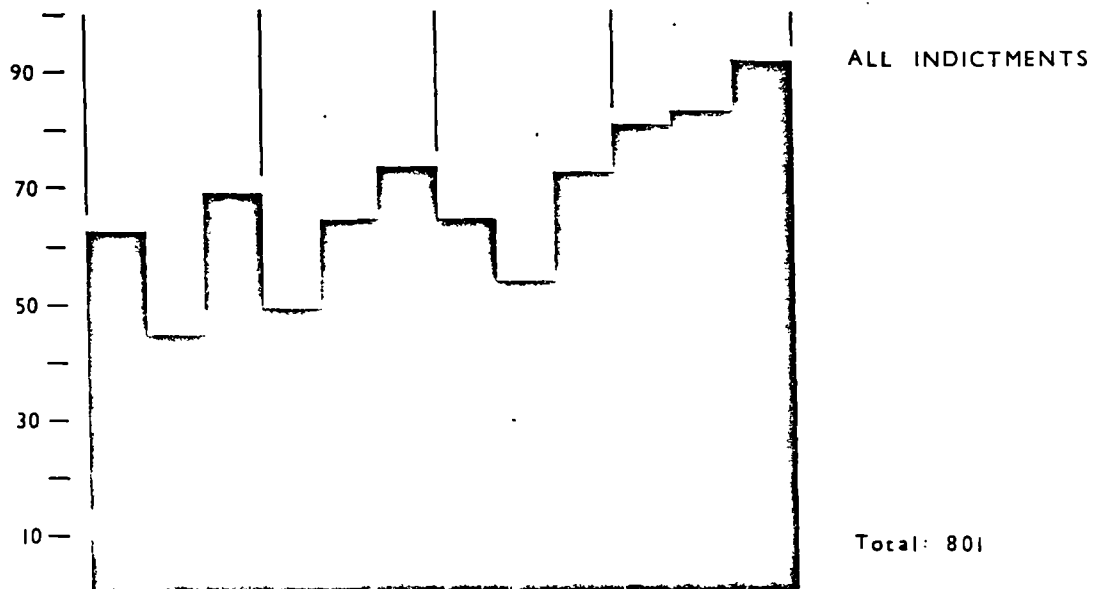
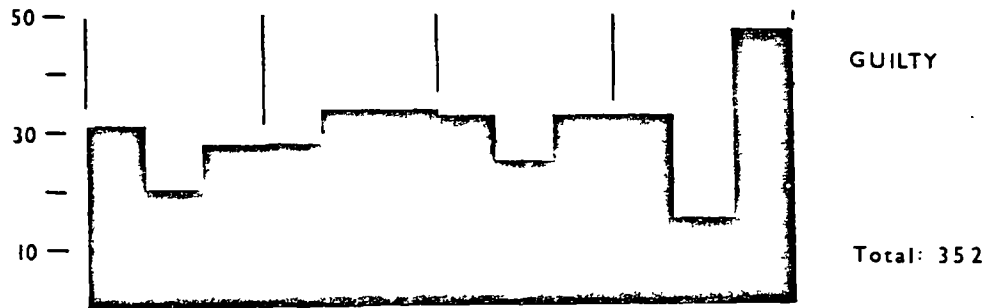
Calendar of Criminals Indicted at London Sessions of Gaol Delivery in 1740.



4x

GRAPH XIII.

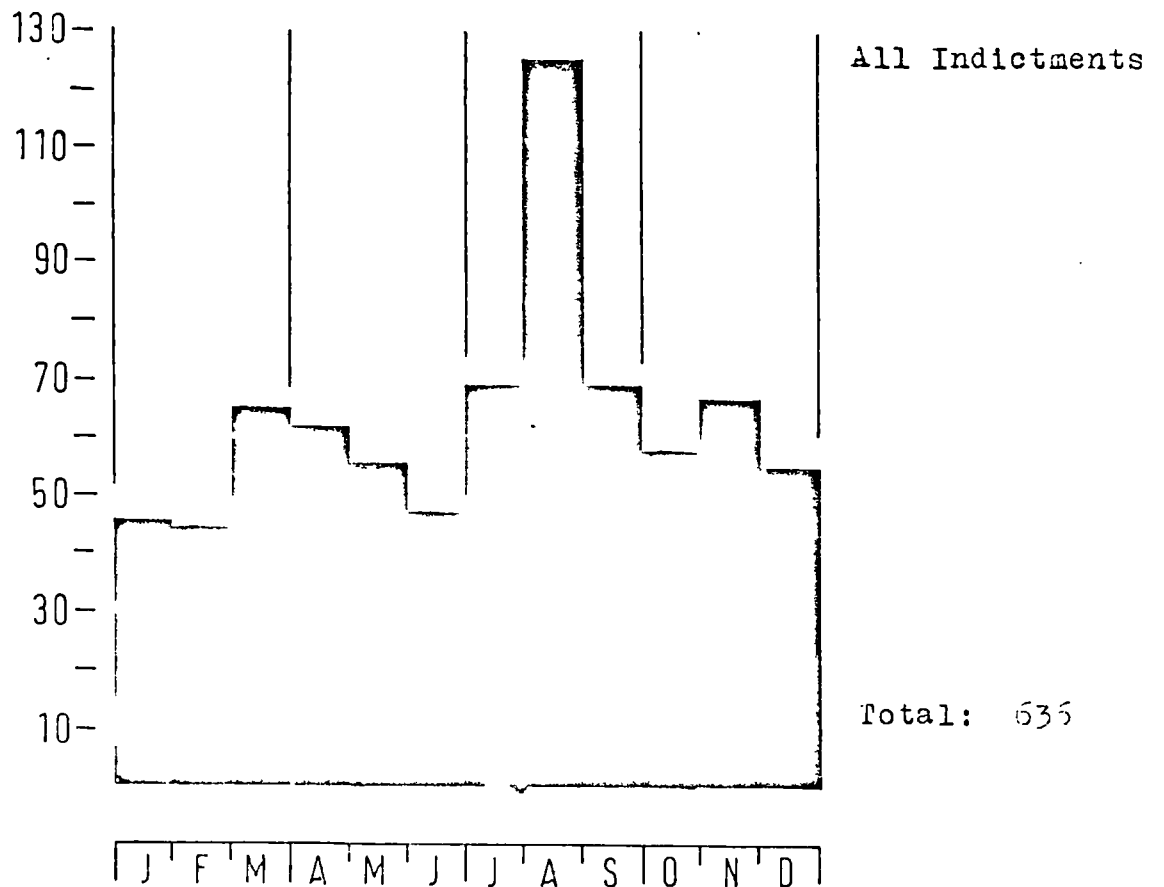
Calendars of Stealing in London in 1740.



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GRAPH XIV.

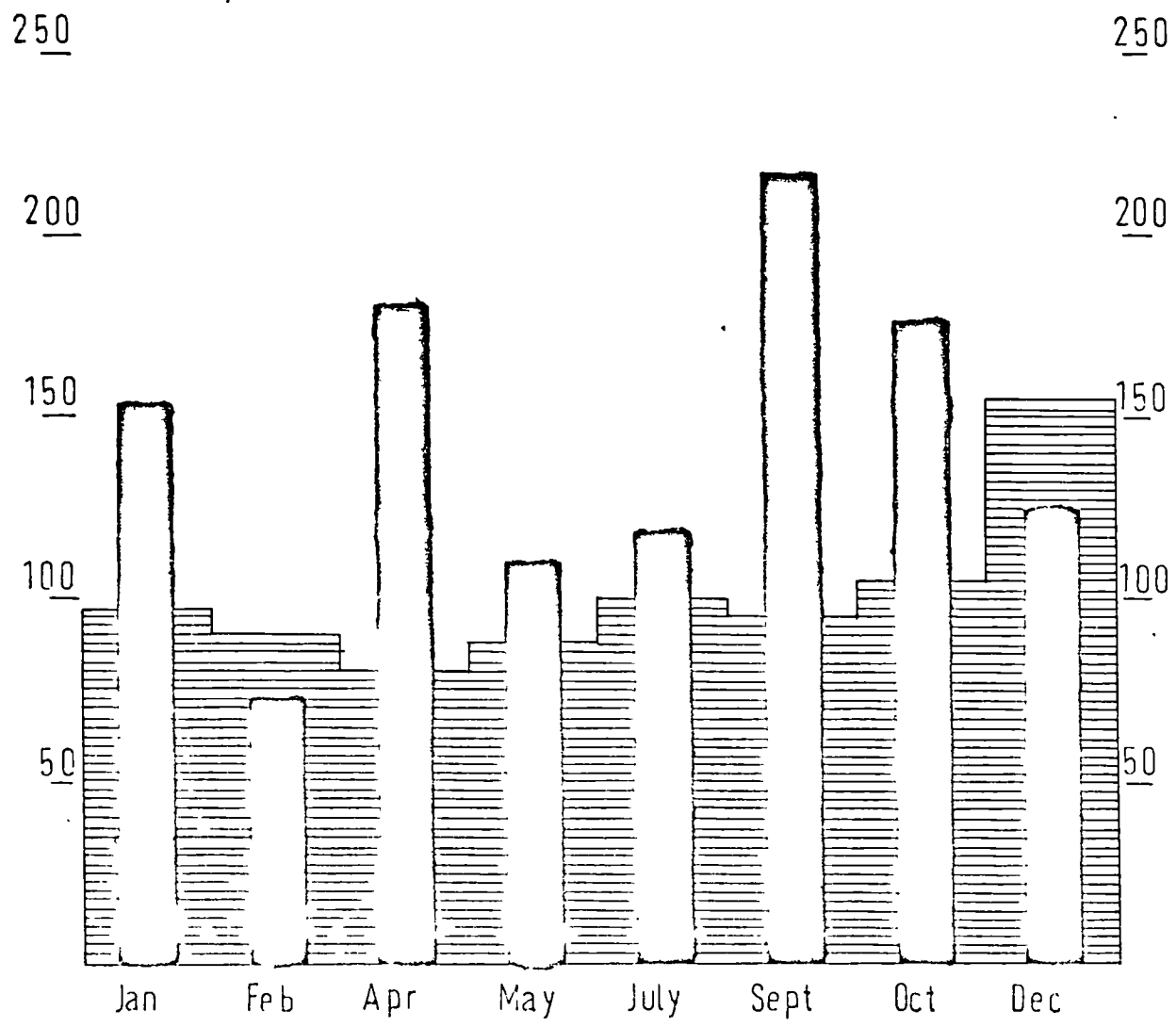
Calendars of Assaults in London in 1740.



GRAPH XV.

Indictments (trespass & felony) in London (Westminster, the City and Middlesex) in 1740.

trespass black bars.
felony grey background.



1740 by Sex and Type of Court," shows us that with the single exception of indictments at the Westminster Sessions of the Peace, which in 51 percent of the cases were against women, mostly men committed crimes. Again excluding Westminster Sessions of the Peace, women committed only about a quarter of indictments crimes appearing at Sessions of the Peace. At Gaol Delivery they appeared as the defendant in 44 percent of the indictments.

TABLE I.

London Indictments in 1740 by Sex and Type of Court

Court		Men		Women		TOTAL
area	competence	number	%	number	%	
City	Peace	156	73.3	42	21.2	198
City	Gaol Delivery	100	43.5	77	43.5	177
City	Both	256	68.3	119	31.7	375
Westmins-ter	Peace	59	48.9	63	51.1	122
Mddx.	Peace	611	73.7	219	26.3	830
Mddx.	Gaol Delivery	355	55.7	283	44.3	638
Mddx. & West.	Both	1025	64.2	565	35.5	1590
City, Mddx., West. Peace		316	71.6	324	23.4	1140
City, Mddx., West. Gaol Delivery		455	55.9	360	44.1	815
City, Mddx., West. Peace and Gaol Delivery		1231	65.2	684	34.3	1915

Chapter Two:

THE VALIDATION OF THE SOUNDINGS

Can the statistical soundings that we have conducted be taken as a valid indicator of the movements of actual criminality in the first half of eighteenth century London? The answer to this question is fraught with difficulties, and to judge from the work of others who have pursued an answer to this question the task is not hopeful. Thomas Shelton, Clerk of the Arraignments of the Sessions of Oyer and Terminer and Gaol Delivery at the Old Bailey, was asked by the House of Commons Select Committee on the Criminals Laws in 1819 to conduct a retrospective statistical survey of London crime. He gathered the statistics from "the records for London ... at Guildhall; and I rather think," he said, "from what I have observed, they are in a very confused state indeed."¹ Hobhouse the Clerk of the Middlesex Justices at the time also testified to the unreliability of his statistical work. While we do not know what series of documents these men used, we are confident that they under-represented the amounts of crimes in their jurisdictions. Confusions in the records have been considerably eliminated in both City and Middlesex record offices thanks to the work of successive generations of archivists. A more serious objection arises from the work of J. J. Tobias whose study of nineteenth century crime led him to conclude that "no reliance can be placed on nineteenth century statistics of crime."² However, a close examination of the

¹ Parliamentary Papers, vii (1819), pp. 125 et. seq. Radzinowicz, i, part one and two, finds these statistics satisfactory. A comparison of them to first-hand soundings may be found in Linebaugh, "Crime in London Between 1720 and 1740," unpublished M.A. thesis (Columbia University, 1969).

² J. J. Tobias, Crime and Industrial Society in the 19th Century (New York 1967), pp. 10, 14-21.

reasoning that led to this categorical judgment is reassuring to our purpose which asks far less from the statistics of crime than J. J. Tobias. Tobias admits that it may be possible to find in statistics a reliable indicator of criminality if they are considered over a long period of time and for a single town or criminal jurisdiction that has not undergone any major administrative change in the institutions of law enforcement that would alter the methods of reporting.

The use of statistics derived from indictment bills as an index of criminality is open to four kinds of technical objections. I have examined these in detail elsewhere and here I only summarize the arguments.¹ First, statistics derived from indictments will include those found innocent. Modern practise of reporting criminal statistics and recent analysis by the historians of criminal statistics do not find this a serious problem because it is thought that the closer the document is in time to the offense the more likely it is that aggregated information will represent amounts of criminality.² This will be especially true in the eighteenth century when juries were inclined to pass judgment with one eye on the facts of a case and another on the severity of punishments.³

¹ Linebaugh, op. cit.

² Thorsten Sellin and Marvin E. Wolfgang, The Measurement of Delinquency (New York, 1964), p. 19. See also two studies by J. M. Beattie, "Towards a Study of Crime in 18th Century England: A Note on Indictments" in Paul Fritz and David Williams, The Triumph of Culture: 18th Century Perspectives (Toronto, 1972), p. 302-303, and "The Pattern of Crime in England, 1660-1800," Past & Present, No. 62 (February 1974).

³ See Holdsworth, op. cit., xi, pp. 550 et. seq.

A second objection arises when it is remembered that the criminal sanction expanded during the first half of the eighteenth century. Will not changes in the amounts of crimes as recorded in indictment bills reflect only the legal extension of the meaning of crime? Briefly, the answer is no. While perhaps thirty statutes were passed between 1720 and 1740 that enlarged the number of crimes punishable by death it has not been possible to explain the number of offenses during this period in terms of this expansion of the criminal code. To give only one example, the infamous Waltham Black Act (9 George I, c. 22) created perhaps more different capital offenses than any statute ever passed in British history, yet in London during the next fifty years we know of only ^{a few} ~~two~~ people who were hanged for violating its provisions, that is two out of about one thousand people hanged in London.¹ At this period of history in particular, the social determinations of the criminal law must be separated from the social determinations of criminality.

The amount of indictments and their variations may be a function not of criminality but of differentials in the enforcement of the law.² This is perhaps the most serious objection to using indictment bills as an index of criminality; nevertheless, it is one that I think can be overcome by a

¹ Charles Tower was hanged in 1725 for a Black Act offense. See The Ordinary's Account, 4 January 1725, and The Proceedings, 4-9 December 1724. Thomas Reynolds, a turnpike rioter, was another. See The Ordinary's Account, 11 August 1736, and The Morning Post, 17 August 1736.

² "Law itself may not only punish crime, but improvise it," was Marx's reaction to the consequences of the 1855 Criminal Justice Act that reorganized the reporting of crimes. See Karl Marx, "Population, Crime, and Pauperism," The New York Daily Tribune, 16 September 1859.

brief examination of the magistracy, the constabulary, and the watch, the three institutions principally concerned in the apprehension of criminals in the first half of eighteenth century London. Without pretending to offer a complete description of these offices and their operation throughout eighteenth century London, some discussion can show that changes in them were not responsible for changes in the levels and rates of indictments.

To begin with the Middlesex magistracy, we find in 1737 that two hundred thirty-three persons belonged to the Middlesex Commission of the Peace.¹ Of these only forty-three appeared at any one of the eight Sessions meetings at Hick's Hall in St. John's Street, and only twenty of these attended more than four Sessions.² Of course much work by an active justice was conducted outside of these meetings working either alone or in Petty Sessions. In 1737 sixty-four different justices signed the recognizances that were filed that year, and thirteen justices were responsible for more than half of them. Justices Wroth, Gonson, DeVeil, Booth, Midford, Poulson, Fraser and Farmer were, by this measure, the most active.³ The amount of work by individual justices varied greatly.

¹ G.L.C.R.O. (Mddx. Div.), Commissions of the Peace, MJP/CO/13 (July 1734). Thirty-two of these were dead. Of the rest one was a Doctor of Philosophy, two were Doctors of Law, two were Viscounts, six Earls, Seven Lords, eight Baronets, nine Dukes, twenty-three Knights, and all the rest Esquires.

² Ibid., Sessions of the Peace and Oyer and Terminer Books, MJ/SBB/941 - 948.

³ Ibid.

John Fielding, Henry Fielding and DeVeil acted as "court" justices and so their relationship with the Secretaries of State has resulted both in considerable documentation and in various public controversies which produced a published literature.¹ Lesser known justices may have been equally active, though within smaller spheres of influence. We shall note one such instance of a minor, but active, justice when we come to study the role of Justice Hodgson in the 1768 troubles in Wapping and Shadwell.² Here we may call attention to another, Justice Henry Norris, a Clerkenwell and Hackney magistrate, who kept a notebook of his activities during the 1730s whose entries enable us to discover activities that would otherwise have remained unknown.³ In the year 1737 he made thirty-six different entries each of which described several judicial decisions. Most of these are either cases where he issues a warrant for the apprehension of a wrongdoer or binds a suspect over to appear at the next meeting of Quarter Sessions. Otherwise he handles Settlement cases; he attempts to resolve disputes between husbands and wives; he listens to complaints about assaults. In the some fifty different individual cases that he listened to during that year, only four of them later appeared at the Quarter Sessions of the Peace. Despite this certain knowledge that in his case more than ten times the number of offenses appeared before him than appeared at the

¹ For one of these, see below, pp. 656-692.

² See below, pp. 509-566.

³ G.L.C.R.O. (Mddx. Div.) Henry Norris, Minute Book 1730-1741, Acc. 61.21/23.

Sessions, we are not warranted in finding in this a 'compensation factor' that (by multiplying by ten) would make the data from the indictment bills nearly represent the number of possible offenses that were reported, because studies of the London magistracy during the eighteenth century have not developed to a point where we could judge the extent to which Henry Norris was typical.¹

Middlesex, it is said, pioneered in the adaptation of Tudor forms of government to "modern needs." In general these were first, the elaboration of the Sessions organization to distinguish between judicial and administrative functions, two, the creation of a more numerous paid staff, three, the creation of "provincial legislatures," and, four, the creation of ad hoc authorities by Parliament for the administration of sewers, turnpikes, and the like.² While this may have been true over the whole century, we find contradictory evidence for it during the first

¹ The typology of justices that the Webbs suggest, "the Justice of Mean Degree," "the Trading Justice," "the Sycophant," and "the Mouthpiece of the Clerk" may be an apt starting point for a survey of the 18th century English magistrate but it rests on very little study of the Middlesex Bench. Indeed the survey of that Commission that attempts to show its essential probity during the first seventy years of the century in order to indicate its "breakdown" after that period does not rest on enough evidence to be convincing to a serious student. Sidney and Beatrice Webb, English Local Government from the Revolution to the Municipal Corporations Act: The Parish and the County (1906), pp. 319-347, 558-580. The surviving records of the Middlesex record office are very rich indeed for a systematic study of the social composition and judicial activities of the Middlesex and Westminster Commissions.

² E. G. Dowdell, A Hundred Years of Quarter Sessions: The Government of Middlesex from 1660-1760 (1932), "Introduction."

half of the century, at least in the records of the Petty Sessions of Justice.

In 1730 a court of Petty Sessions of the justices of the parish of Marylebone began to meet once a fortnight at The Queen's Head in Oxford Street. The historian of local government in this parish reports that the sessions dealt mainly with disputes about parish rates, but an examination of the records of that Sessions shows that its concern extended beyond this to matters where the distinction between "judicial" and "administrative" functions is hard indeed to draw.¹ Most of its business had to do with Settlement cases, the licensing of alehouses, the performance of statutory labour on the highways, and the disputes arising from the quartering of soldiers in inns.² But in November 1733 the Sessions ordered that a "Warrt. be made out to apprehend Idle and disorderly persons in Marybone Fields against the next Petty Sessions." In 1742 complaint was made by it against unlawful and riotous assemblies in Marybone Fields. Two years later the constables were ordered to apprehend "several loose Idle and Disorderly ... wandering, begging and otherwise misordering themselves in the Streets." By the end of the century, it is true, the

¹ F. H. W. Sheppard, Local Government in St. Marylebone, 1688-1835: A Study of the Vestry and the Turnpike Trust (1958), p. 19. "London was harbouring a large submerged population who lived beyond the frontiers of what was then regarded as civilization. From them came the menace of crime and mob disorder, a menace which eventually became so strong as to constitute almost a direct challenge to authority itself." Ibid., p. 23.

² Westminster Public Library (Marylebone Road Branch), Minutes of Petty Sessions of St. Marylebone Division of the County of Middlesex, vols. i (1730-1757) and ii (1757-1766).

Marylebone Petty Sessions, dealt exclusively with issues like rate assessments and appeals, matters which it is easier to nominate "administrative" in contradistinction to "judicial."

It is difficult to sustain that distinction for the early work of the only other Middlesex Petty Sessions of which we have record.¹ "The Brentford Journal" records the activities of the Brentford Petty Sessions between 1651 and 1714.² Usually it met once a month, though in years of severity (1710 or 1711) it met as often as once a week. The justices who comprised the Sessions were concerned chiefly with matters like the selling of unmarked bread, the passing of vagrants, fines against cursing, requests for the relief of the poor, disputes about apprenticeship indentures, and instructions to the constables for the survey of Papists. It was, even to a greater extent than the Marylebone Petty Sessions, concerned with matters of petty larceny and assaults. It committed many people to Newgate to await trial. It issued warrants to constables for the seizure of suspected

¹ Despite repeated attempts, we have not found the surviving records of Tower Hamlets Petty Sessions nor Holborn Petty Sessions (Bow Street), both of which would be of far more interest to our work than the Marylebone or Brentford records.

² G.L.C.R.O. (Mddx. Div.), The Minute Book of Brentford Petty Sessions, Acc. 890. See also, W. J. Hardy (ed.), Calendar to a Volume entitled the "Brentford Journal," unpublished typescript, 221 pp., in G.L.C.R.O. (Mddx. Div.).

persons. It bound people over to appear for trial.¹

What we have learned from this brief survey of the Middlesex magistracy as it acted in Sessions of the Peace, in Petty Sessions, and individually is, this. There was nothing in either the intensity of their efforts, or in the developing division of labour within the magistracy, or in the extension of their activities that explains either the seasonal patterns of indictments that we have found nor the secular change in the number of indictments recorded in the first half of the eighteenth century. This is not to say that no relation between them existed, only that at present knowledge the nature of that relation cannot be determined, and it is doubtful even were everything known on the matter, that the variations in indictments in Middlesex could be accounted for exclusively in terms of the variations in the activity of the magistracy.² Nor can it be accounted for by exclusive reference to the variations of the Watch and the Constabu-

¹ In March 1705 a Staines carpenter was bound over to appear in court to answer a charge of stealing pewter from a dwelling house. In February 1706 warrants were issued against a person for suspicion of taking pork out of a cellar in Twickenham. November 1709 a warrant was issued to seize a servant on suspicion of "taking peaches in the garden of Sir Charles Hedges of Richmond." June 1714 a warrant was issued for the apprehension of several persons suspected "for stealing fish out of the Bishop of London's pond." Fish, peaches, sheep, horses, geese and gander, these, agricultural products, were the chief products misappropriated as they appear at this Petty Sessions.

² J. M. Beattie, "Towards a Study of Crime in 18th Century England," *op. cit.*, shows that in Surrey between 1720 and 1750 "the number of magistrates making commitments to the county goal and the house of correction in Southwark remains remarkably constant despite the fact that the Surrey bench more than doubled during this period."

lary. The magistracy is the nervous system of the legal body, transmitting orders and assessing information; the Watch and the Constabulary are the fists and the fingers, identifying suspects and pulling them in.

Within the jurisdiction of Middlesex Quarter Sessions, the offices of the constabulary which once were manorial positions appointed by Court Leet, became in the eighteenth century appointments of the Justices in Quarter Sessions. The practise of substituting paid "professionals" replaced the older practise of compulsory office of householders without pay. During the second quarter of the eighteenth century the parochial Watch, which provided the most numerous officials responsible in the first instance of apprehending criminals, increasingly became regulated by supra-parochial bodies, as repeated statutes passed for the regulation of the Watch testified.¹

Elsewhere I have shown that the Statutes passed to regulate the Watch in particular Middlesex parishes did not have a consistent effect on the number of indictments filed from the parish in question.² The same was found to be true of the Acts that applied to Westminster parishes. In Westminster owing to the ecclesiastical origins of many of the institutions and the uncertainties of its geographical jurisdiction the parochial enforcement

¹ See for example, 10 George II c. 15 (Red Lion Square), 10 George II c. 25 (Saffron Hill, Hatton Garden, Ely Rents), 11 George II c. 35 (Spitalfields), 22 George II c. 50 (Shoreditch), 23 George II, c. 35 (St. Martins-in-the-Fields), 24 George II c. 26 (Bethanal Green), 27 George II, c. 25 (St. Luke's), 29 George II c. 53 (Marylebone), 29 George II, c. 87 (Wapping, Shadwell, Ratcliff, Limehouse).

² Linebaugh, op. cit.

of the law was confusing. The organization of the Watch was made difficult by the mutual jealousies between the Court of Burgess and the Vestries of the Westminster parishes.¹ In February 1720 an ordinance of the Court attempted to strengthen the Watch: "whereas by reasons of the many burglaries and robberies lately committed, and by the increase of the inhabitants in the said city and borough, it is necessary that the present watch within the said city and liberty should be strengthened and increased." The Court fixed the number of Watchmen at 155 and deployed them in fixed positions among the parishes and wards.² Eight months later in 1720 "additional Orders Rules and Ordinances" were passed. Parish beadles were assigned patrol duties, and required to "drive out of the said Streets all Sturdy Vagrants ... and others who upon Pretence of Begging watch their Opportunities of Robbing and Pilfering." Fifty-three constables and a High Constable worked in Westminster until 1756 when the number was increased to eighty. None of these changes in the City as a whole, nor changes in the watch of St. James, Westminster, or St. George, Hanover Square, for which particular Acts were passed, affected consistently the curve of indictments in the appropriate jurisdiction.

In the City of London the Lord Mayor headed the administration of justice and the enforcement of the law. All Aldermen, after 1741, were

¹ W. H. Manchee, The Westminster City Fathers (The Burgess Court of Westminster, 1585-1901) (1924), pp. 3-25.

² G.L.C.R.O. (Mddx. Div.), Westminster Sessions of the Peace Roll, WJ/SR/2668, January 1736/37. And Manchee, op. cit.

also magistrates. Two of these were elected Sheriffs of London and Middlesex and they were responsible for the compters and the gaols, the supervision of the Marshalls and the Under Marshalls, and the execution of capital punishment.¹ The City's constabulary was appointed by the City wards. The Common Council appointed Watchmen and these after 1693 numbered one thousand. After 1737 (10 George II, c. 22) the Common Council passed annual orders on the number and deployment of the Watch and removed power of assessment of the Watch Rate from the wards to the Council. Petitions and considerable agitation by the Common Council had resulted in this Act.² After that date the Watch was armed with a "good and substantial Ashen staff five and a half [feet] long with an Iron ferule at Each End thereof." The Constabulary "shall in their several Turns or Courses of Watching use their best Endeavours to prevent fires, Murders, Burglaries, Robberies and other Outrages and Disorders and they are hereby Impowered to arrest and apprehend all Nightwalkers, Malefactors and Suspected Persons who shall be found wandering or misbehaving themselves." By 1738 the City employed 660 watchmen, 33 beadles, and 237 constables. The reorganization of the Watch and the Constabulary which this Act empowered the Court of Common

¹ A publication of the Corporation of London, The Corporation of London: Its Origins, Constitution, Powers and Duties (1950), is a good recent administrative history of the City.

² Lond. Corp. R.O., Ward Returns, MSS. 245.2; Nightly Watch Committee Papers, MSS. 141.9; Minutes of the Common Council (March 1736/37), MSS. 141.9; Journal of the Court of Common Council, vol. lvii, pp. 366-7, and vol. lviii pp. 29, 33-7, 55-6, 59-64, 67 and 77.

Council to effect, had no discernible influence on the number of indictments appearing at the City Sessions.

Our brief review of some of the main changes in the enforcement of the law in Westminster, Middlesex, and the City during the first half of the eighteenth century has shown that these changes in themselves do not account for the variations in indictments that we have discovered from the systematic study of indictment bills. It might finally be objected that we cannot use indictment rates as an indicator of criminality because so much crime went undetected and what assurances could we possibly obtain to show that ^{the} offenses that came to light were always more or less proportional to the statistician's "dark figure" of undetected crimes? This "dark figure" was in eighteenth century London very large indeed.

James Dalton was not primarily a pick-pocket, his specialties were housebreaking and highway robbery; yet, if we take him at his word, and there is no reason not to, once he picked over five hundred pockets during a period of three months. He was convicted three times and sentenced to transportation; his fourth and final conviction sent him hanging at Tyburn. Entering the criminal life at the age of eleven and hanged at thirty, in the twenty years of his prime he probably committed thousands of crimes, yet the judicial records only four.¹ His career suggest a dark figure very to one hundred percent. No doubt a similar figure would arise if we compared Patrick Colquhoun's estimation of losses from the river to the losses

¹ Anon., The Life and Actions of James Dalton (the noted Street Robber), (1730), passim.

actually recorded in the indictments against river thieves during the 1790s.¹ Whatever the "dark figure," we are reasonably confident that it bore a more or less regular relation to the criminality appearing in court, because the seasonal pattern of indictments cannot be accounted for by any explanation except the fact that it represented the actual rhythm of criminality. That pattern appeared in every year that we studied regardless of either the extension of the criminal sanction or the variations in the relative enforcement of the law by the Magistracy, the Constabulary and the Watch.

We can conclude this chapter, therefore, with the proposition that the soundings we conducted in the eighteenth century judicial repositories produced material that does in general reflect the actual amounts and rates of criminality in London during the first half of the eighteenth century. We may turn our attention now to the interpretation of the figures thus derived. The next chapter compares these figures to those of the prices of provisions, the mortality rates of London, and the wages of the London labouring poor.

¹ A Treatise on the Commerce and Police of the River Thames (1800), p. 154, where he estimates the annual losses on the river at forty-five thousand pounds sterling per annum.

Chapter Three:

CORRELATIONS BETWEEN INDICTMENT RATES AND PRICES,
DEATHS AND WAGES

"I wander thro' each charter'd street,
Near where the charter'd Thames does flow,
And mark in every face I meet
Marks of weakness, marks of woe."

William Blake,
"London."

Indictment Rates and the Prices of Provisions

Was there a significant relationship in eighteenth century London between the amount of crime and the prices of provisions? In the three graphs that follow we summarize the information that we have gathered to answer this question.¹ The results of our investigation will disappoint those who expect a clear correlation.

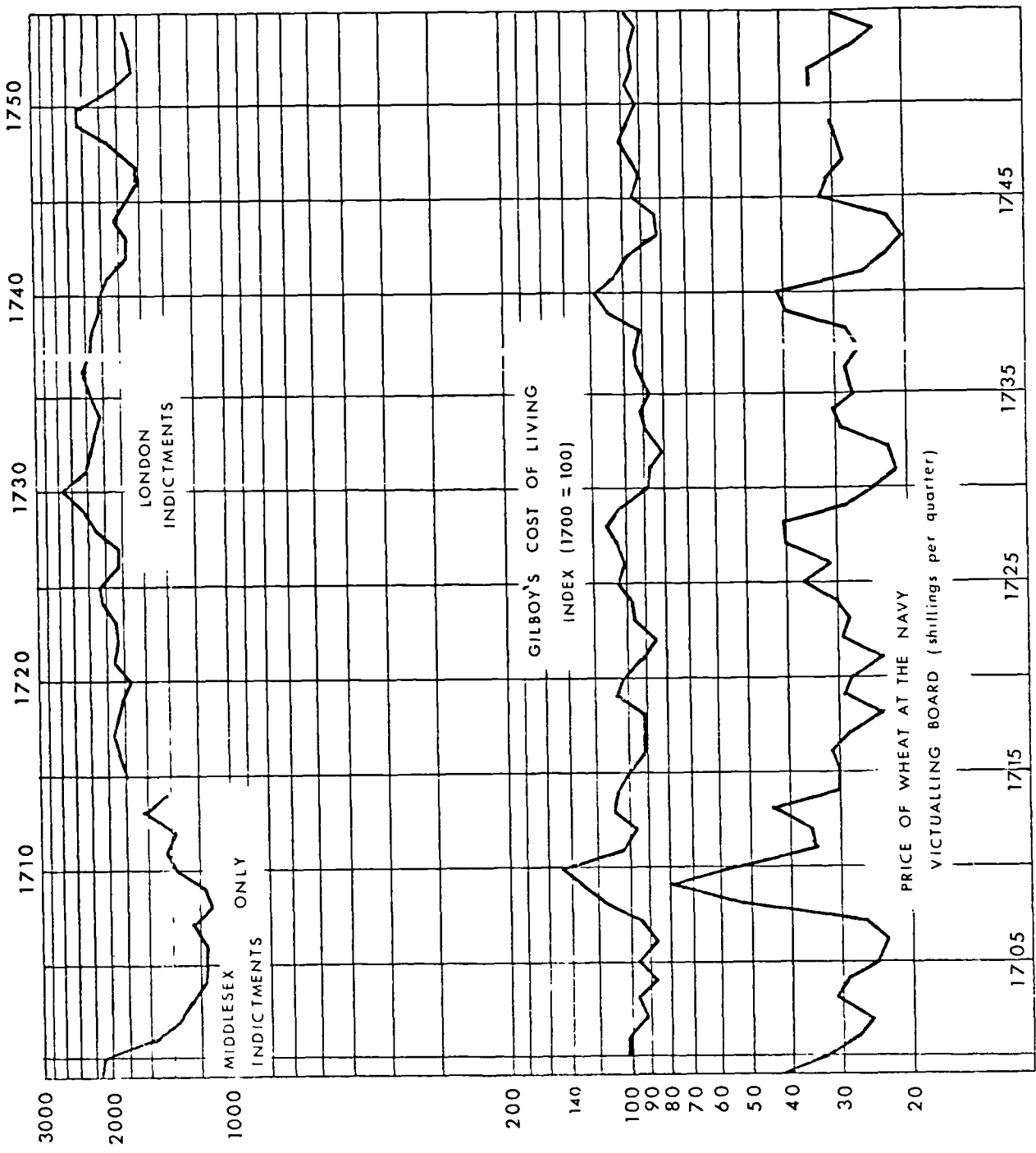
We have not found a long-term, secular correlation between the "cost of living" and London indictments, nor between the rates of change of each. The first graph, "Indictments and Prices in London 1699-1755," shows this at a glance. It compares two indicators of prices to the total annual number of indictments filed in London courts. Each of these series requires some discussion.

We do not have a continuous series for indictments that covers the whole period. Between 1699 and 1714 we show the annual number of indictments for felony and trespass lodged before the Middlesex and Westminster sessions. Beginning in 1715 we are able to add to these the indictments received by the City Sessions. It is possible to interpolate for the missing year or to weight the Middlesex indictments with an estimated number from the City for the fifteen earlier years; however, we find little point in doing this because it would not affect the relationship

¹ Tables of figures from which these graphs have been derived can be found in an appendix, p. 758.

GRAPH XVI

Indictments and Prices in London, 1699 - 1755



of the indictment to the price curves. The annual number of indictments have been summed up on the basis of a calendar year beginning in January. No adjustment has been made for the differential between the date of the offense and the date of the trial; elsewhere we discuss this problem which in any case does not ^effect the secular comparisons made here.

We use two indicators for the prices of provisions in London, neither of which is quite satisfactory. The first indicator, the "Schumpeter-Gilboy Price Index," is based upon the prices of five commodity groups (beverages and condiments, candles and coal, clothing, animal products, and cereals) whose relevant importance to the "average" budget was weighted on the basis of some thirty-five budgets supplied at the end of the eighteenth century.¹ Thirty-one prices series were used altogether.

¹ Two indices are actually in question both presented in B.R. Mitchell and Phyllis Deane, Abstract of British Historical Statistics (London, 1962), pp. 346-7 and 468-469. It is to the second of these that J.M. Beattie refers in "The Pattern of Crime in England 1660-1800," Past & Present, No. 62 (February 1974), p. 85. Those using the index should refer to their compilers' presentation of it in Elizabeth W. Gilboy, "The Cost of Living and Real Wages in Eighteenth Century England," The Review of Economic Statistics, XVIII, 3 (August 1936), and Elizabeth Boody Schumpeter, "English Prices and Public Finance, 1660-1822," The Review of Economic Statistics, xx, 1 (February 1938), pp. 21-37, and not rely on the summary of their findings presented in Mitchell and Deane. Gilboy's cost-of-living index is weighted according to the budgets she studies at the end of the century. Schumpeter's similar consumers' goods index is unweighted. We have used the former, J.M. Beattie the latter. Although Gilboy cites the "Admiralty Ledgers" for her prices of cereals (weighted the most in the index) it only becomes clear that these were in fact derived from the London Victualling Board (and not Portsmouth) by comparing the two series in William Beveridge et al, Prices and Wages in England from the Twelfth to the Nineteenth Century, vol. i, Price Tables: Mercantile Era (1939), from which Gilboy derived her information. For all its shortcomings her index is more useful than the earlier one provided by Rufus S. Tucker, "Real Wages of Artisans in London, 1729-1935," Journal of the American Statistical Association, xxxi, 193 (March 1936), pp. 73-84.

All of them are contract prices to institutions, and fifteen of these were contractors' prices to the Navy's London Victualling Board. With the exception of the indices for barley and rye which were collected from the records of Kent Quarter Sessions all of the others are derived from the prices paid by London institutions, Greenwich Hospital, the Victualling Board, the Royal Household, and Westminster Abbey, and so we are spared entrance into the controversial grounds of regional variation in eighteenth century price markets. Nevertheless, the authors of the index caution us on other counts. Gilboy tells us that "a great amount of interpolation was necessary."¹ Stressing the small number of series and the fact that most are based on contract prices, Schumpeter warns us that "the indices may not always be accurate with respect to year to year changes."² Gilboy states that the index is "neither a wholesale nor a retail price average but something in between," a proposition which even upon her own reasoning is not persuasive. She considers that Greenwich Hospital contracted prices were "retail prices." In fact Greenwich Hospital in buying a quarter a million loaves of bread a year in discounted contracts did not pay "retail prices."³ Despite the cautions of the authors of the index and our own we may nonetheless accept the index

¹ Gilboy, op. cit., 134.

² Schumpeter, op. cit., p. 33.

³ As applied to 18th century grain prices the notion of "retail price" is problematic: is it a free market price? Is it a just price? Is it equal to that set by the Assize of Bread?

as a very rough guide to secular price changes.

The second price indicator we use is that of the price of wheat at the London Victualling Board. This has some advantages over the Schumpeter-Gilboy index though obviously it represents a far smaller proportion of a budget than the broader index. The competitive element in wheat prices to the Navy was quite high: twenty merchants sometimes tendered bids, and this perhaps makes the series more sensitive to fluctuations of short periods than the Schumpeter-Gilboy index.¹ Prices are plotted on the graph according to the harvest year beginning in Michaelmas.

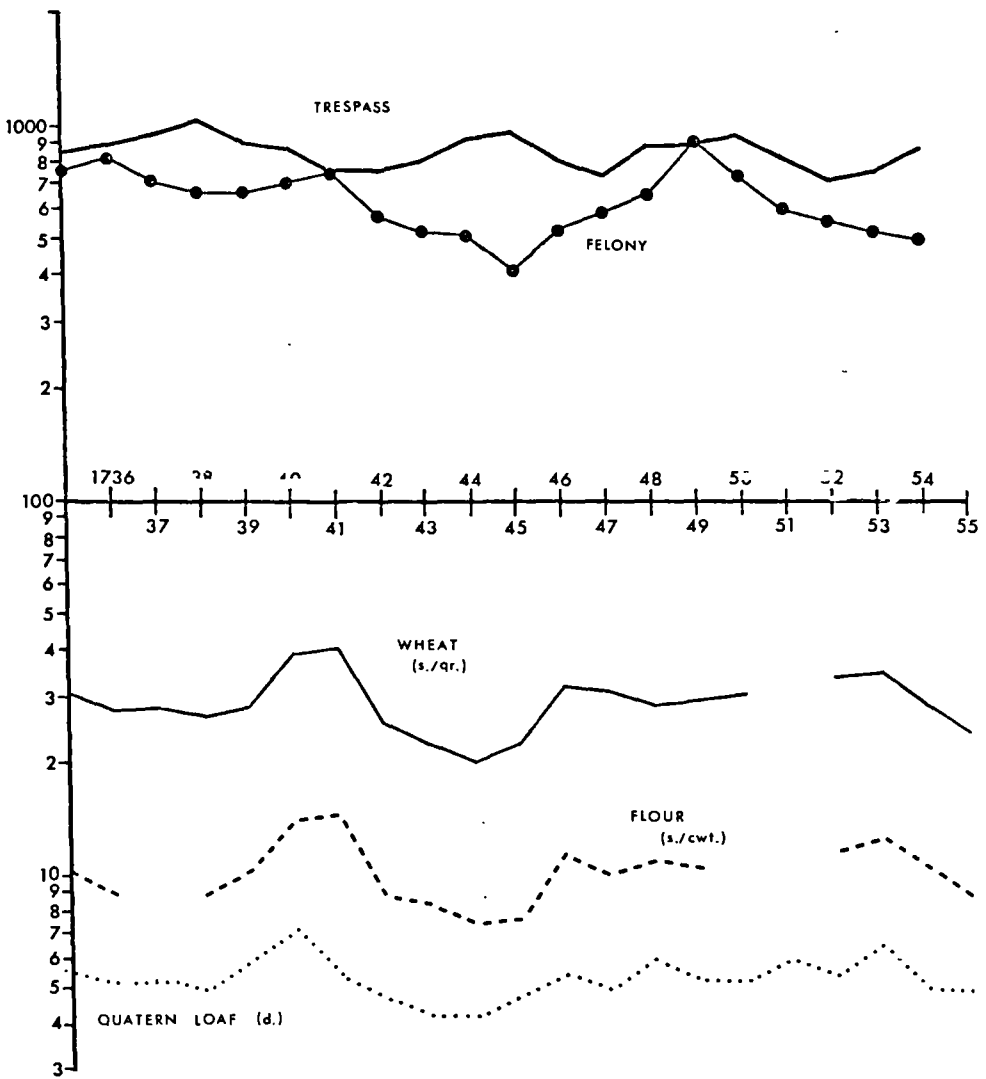
What comparisons can we find between London indictments and these indicators of prices? We can identify three main peaks (1699-1700, 1729-30 and 1749-50) and three smaller ones (1713, 1725, and 1736) in the curve of London indictments. The main peak of 1699-1700 does not correspond to the Schumpeter-Gilboy index. It may do to the wheat index, certainly the decline in the first five years of the century does. The main peak of 1729 is accompanied by a decisive drop in prices. The peak of 1749 has no clear correlation one way or the other in the price series. Striking heights in the price indices, 1709-10, 1727-28, and 1739-40, find no corresponding movements in the indictment curve. One may perhaps identify a positive correlation in indictments two or three years after the

¹ Beveridge, op. cit., p. 535-6. Navy Bills were the means of payment for the whole period we consider. High discount rates "strongly influenced" the prices for 1709-11, but otherwise not. Ibid., pp. 531-4.

first two of these high price years, though the absence of a similar lag after the dearth of 1739-40 suggests that this is a tenuous correlation if one at all.

Our second graph, "Prices and Middlesex Indictments for Trespass and Felony 1735-1755," limits and refines the problem of the relation between "cost of living" and crime. We limit the time period to twenty years and we limit the indictments to Middlesex. On the other hand we divide the general indictment level into those for felony and trespass. For price indicators we retain the wheat price index of the London Victualling Board, and add two others, namely, the price of the quartern loaf in London and the price of flour at the Victualling Board. Short term contracts and competitive bidding make the flour price series reasonably reflective of wholesale prices, and in comparing the rate and direction of variations between flour and wheat prices we find them ~~in~~ identical, with the exception of the two years, 1747 and 1748 when the direction of change between the two series was opposed. The prices of the quartern loaf in London follow the same general pattern of change as the wheat prices, that is the trend over five year periods is identical. This does not hold true on a year to year basis: in 1741, 1744, 1748, 1749, and 1755 the direction of change between the two series is opposed, and often the rate of change (even with an identical direction of change) is considerably dif-

GRAPH XVII
Prices and Middlesex Indictments for Trespass and Felony,
1735 - 1755



ferent.¹ This fact confirms the warnings of Schumpeter and Gilboy against using wholesale prices as a short-term index of the cost of living.²

The general pattern of these prices over the period 1735 to 1755 consists of a four year period of stability (1735-38), a sudden ascent (1739-40), a more gradual depression of prices (1741-1744), two years of rising prices (1745-46), and a ten year period of small annual fluctuations. Neither the curve of indictments for trespass nor for felony reproduces this pattern. Between 1738 and 1744 the annual number of indictments for felony rises and falls in the same direction as the prices of wheat, but the rate of change is slighter and as the pattern is not repeated elsewhere we cannot find this correlation particularly significant. Indeed the striking aspect of the felony curve is the continuous rise beginning in 1745 and culminating in 1749 and this movement finds not so much as a hint of correlation in any of the price movements. Turning from felony to trespass we find results equally disappointing. The annual number of indictments for trespass fluctuated between seven hundred and a thousand,

¹ Prices of the London quartern loaf are quoted in T. S. Ashton, Economic Fluctuations in England 1700-1800 (London, 1959), p. 181, who summarizes J. Marshall, Digest of All Accounts (1833), pp. 88-89. Prices of bread at 9 November, the beginning of the Mayoral year.

² J. M. Beattie, op. cit., pp. 89-91, uses the index as an indicator of price fluctuations over two seven year periods and a four year period. In light of the Schumpeter-Gilboy warnings, the variation between quartern loaf prices and wheat prices, as well as for other considerations, we must question the results that he obtains.

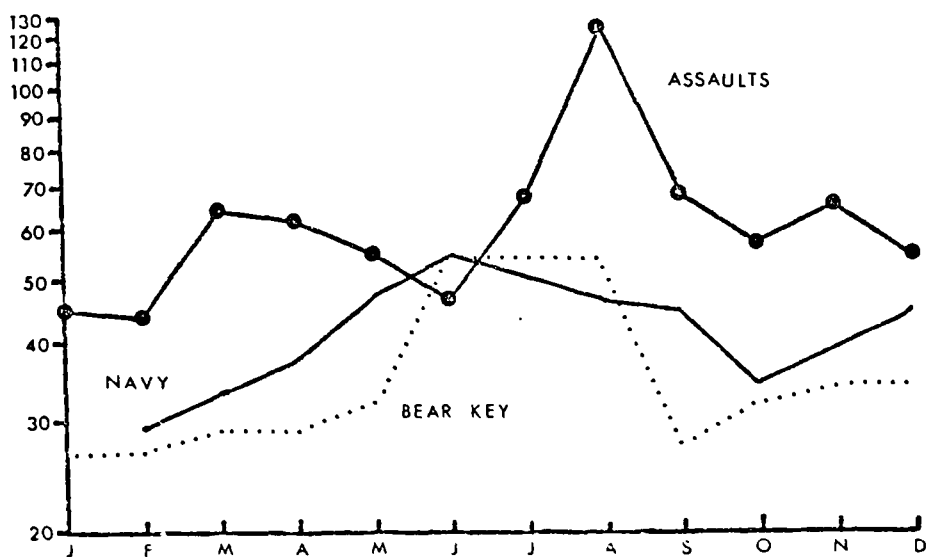
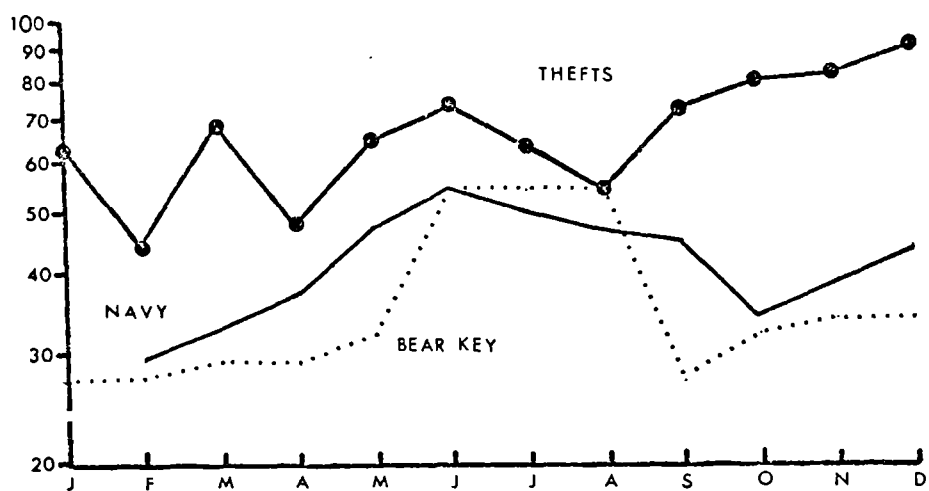
without any startling shifts in the rate of variation. This relative stability contrasts with the movements of prices. The peak years of indictments for trespass, 1738, 1745 and 1750 find no correspondence in either especially high or low prices. In the direction of variation we find no interesting relationship either.

A third graph, "A Seasonal Comparison between the Price of Wheat and London Thefts and Assaults in 1740," approaches the problem in a third way. Two wholesale price series of wheat are compared to the monthly number of indictments for theft and assault during the twelve months January - December 1740. The monthly number of thefts and assaults has been adjusted to reflect the date of the commission of the crime as opposed to the date that it appeared in court. Determination of prices of wheat at the Victualling Board was by competitive bidding on contracts specifying delivery terms of less than a month. This fact together with the monthly variations in prices leads the author of the series to state that they "afford an accurate measure of short-term wholesale prices."¹ They may do. Nevertheless we have checked them against the monthly average price of wheat at the Bear Key market and find that while the pattern of movement between the two series is approximately the same (a slow increase through the spring, a summer peak, a harvest decline, and a slow rise in early winter) the rates of change are less drastic and the time of change somewhat earlier at the Victualling Board

¹ Beveridge, op. cit.

GRAPH XVIII

A Seasonal Comparison between the Price of Wheat and London Thefts and Assaults in 1740



than at Bear Key.¹ What must we conclude from these differences?

Perhaps the suppliers of the Navy were not as competitive as they are thought to have been. Were they able to anticipate changes that the factors at Bear Key could not? We do not know what marketing practises, contracting customs, or corn grading standards to ascribe the differences to. But it should be clear from these differences in wholesale prices that so-called "retail prices" may bear very little relation to them.²

Still, if we can ignore this danger for a moment, what is the relation of crimes to these prices?

The pattern of assaults in 1740 consists of four phases: an early spring rise, a slow decline to June, a steep ascent to August, and a less striking decline into the winter. This is not an unusual pattern even though 1740 was a hard year; it conforms to the seasonal pattern of assaults for most years in the first half of the eighteenth century London. Indeed, the regularity all but begs for correlation to some other seasonal rhythm. If that partner is to be found amid price rhythms it is not obvious.

¹ Bear Key prices of wheat have been compiled from the monthly quotations in The Gentlemen's Magazine, XII (1740).

² Anon., An Essay to Prove; that Regrators, Engrossers, Forestallers, Hawkers, and Jobbers of Corn, Cattle and other Marketable Goods ... are Destructive of Trade, Oppressive to the Poor, and a Common Nuisance to the Kingdom in General (1716), and Anon., The Case of the Inhabitants of the Cities of London and Westminster, and the Suburbs thereof, as also the Inhabitants of the Adjacent Counties; relating to the Oppression they lye under by means of the Forestallers, Engrossers, and Jobbers of Cattle and Flesh Provisions brought to the several Markets (1747) will remind the reader that much else besides whole-sale prices affected actual prices on the street.

On the basis of the patterns in 1740 we might find a relation in the delayed impact which high wholesale prices have upon the number of assaults and in the fact that both decline after August. The seasonal patterns of wheat prices at Bear Key conform to that ^{which} we find in 1740. The summer peak and harvest decline anticipate the somewhat later movement of assaults. The seasonal patterns of wheat prices at the Victualling Board also conform more or less to the pattern of 1740 "with the minimum in October and the maximum about March."¹ I think that we may conclude of the seasonal rhythm of assaults that it was related to a seasonality in wholesale prices at least in the second half of the year. Not a surprising finding certainly, and one which raises more questions about London marketing practises, and municipal pricing policy and regulation than it answers about the relation between crime and the price of provisions.² Other factors determine the seasonality of assaults because the correspondence we find with prices does not apply to the first half of the calendar year. Should the reader accept the correspondence that we find in the second half of the year, there is no reason to take it as a causal relation. With the Londoner (as with other beasts) winter time brings a deadening of

¹ Beveridge, op. cit., p. 536. A conclusion drawn from the monthly study of prices during sixteen years taken from the period, 1691-1745.

² In A.L. Beier, "Vagrants and the Social Order in Elizabethan England," Past & Present, No. 64 (August 1974), a similar seasonality is discovered in the arrest figures of vagrants in Essex and Warwickshire. The spring rise and fall of arrests corresponds to the pattern of indictments that we've found at that time of year in London a hundred and fifty years later. We cannot explain it. Nor does Beier (p. 25).

summer activity.

Not though of thefts. The seasonal movement of thievery in 1740 can be divided into four phases: three months of fluctuations at the beginning of the calendar year, a rise over April and May, a decline through June and July, and a continuous incline during the last quarter of the year. It is the last phase that contrasts with the winter decline of assaults. We find no correspondence between the movement of thefts over the whole year with that of wheat prices, though we can identify some partial correlations: the May to August rise and fall of thefts has a parallel in the Victualling Board price movements and the August to December rise in thefts corresponds to a gradual rise in prices in the last three months of year year. Certainly these moments of correspondence are too fleeting to justify any conclusions of the sort that as bread gets dearer thefts increase.

In sum, we find on the whole that a comparison between London grain prices and London indictments reveals no clear relationship whether that comparison is made over a long period of time, whether it is made seasonally, or whether it is made by breaking down the aggregate number of indictments into the two branches felony and trespass or into those of assaults and thefts. Is this finding confirmed by the work of others who have followed similar investigations? We shall briefly look at several.

J.M. Beattie has studied the relationship between "urban" Surrey indictments, "rural" Surrey indictments and Sussex indictments to the Schumpeter-Gilboy price index over three periods in the eighteenth cen-

tury, namely, 1736-1743, 1762-1769, and 1780-1784.¹ Despite the difficulties that we find in his conception of "urban" Surrey and those that we have mentioned with his use of the Schumpeter-Gilboy index, we note that his findings show in the first two of those periods no clear correlation between prices and indictments in "urban" Surrey.² Although he detects a positive relation in the third period it is so short a time that we are reluctant to make much of this finding one way or the other in view of Schumpeter's cautions against employing the index over short periods of time. On the other hand in all three of the periods of Beattie's soundings a positive correlation between rural indictments and prices is found.

A study of crime in Elizabethan Essex produces few clear results on this vexing subject. J. Samaha concludes that grain prices and recorded crimes appeared "to have fluctuated at approximately the same rate."³

¹ J.M. Beattie, op. cit., pp. 88-94 especially. George Rudé writes, "With London's rising population and the increasing frequency of harvest failures, the volume of crime, far from abating, continued to rise after the 1760s," Hanoverian London, 1714-1808 (1971), p. 96, a judgment which on present evidence is difficult to sustain.

² We have two difficulties with the conception. First, while the geographical area of "urban" Surrey is delineated, its other characteristics are not described, a lamentable omission as the industrial growth of London south of the river appears to have been quite rapid. Second, indictments for the area are expressed as a ratio to every 100,000 of the population. As the actual population was probably less (Deane and Cole, op. cit., p. 103 give a figure of 133,427 for the entire county in 1751) the effect is to inflate the number of indictments.

³ Joel Samaha, Law and Order in Historical Perspective: The Case of Elizabethan Essex (New York, 1974), pp. 36-39 and appendix VI, pp. 168-169.

The comparison is made over the period 1585-1603 and only the seven years between 1592 and 1599 when harvests continually worsened does the direction of change in the number of indictments correspond to the price fluctuations. Otherwise the rate, magnitude and direction of change in either series provide no clear conclusion about their relationship, and the author properly points this out.

Studies of eighteenth century France have included this theme, again with results that are equivocal at best. Thus in rural Normandy students of crime have not found a clear relation between the series of indictments and prices. A seasonal pattern in some types of crime has been discovered but is explained by the conditions of both field and town work: the summer rise of criminality is related to the increase of outdoor activity.¹ Similar conclusions are drawn from the results of soundings into eighteenth century Parisian crimes. Where a definite seasonality of theft is detected having (unlike our London findings) an August peak and a winter decline it is attributed to the demands of the agricultural labour market surrounding Paris and not to the prices of

¹ Jean-Claude Gégot, "Etude par Sondage de la Criminalité dans le Bailliage de Falaise (XVIIe-XVIIIe siècle)," Annales de Normandie, Vol. XVI, no. 2 (juin 1966), pp. 103-164, and Bernadette Boutelet, "Etude par Sondage de la criminalité dans le Bailliage du Pont-de-Arche (17e-18e siècles)," Annales de Normandie, vol. XII, no. 4 (decembre 1962), pp. 235-262. "Nous sommes devant une criminalité d'été," Boutelet states, committed by "hommes d'Aôut."

100

provisions within the city. Even this point is made tentatively.¹

Studies of the relation between indictments and prices in the nineteenth century are easier to obtain as this was one of the first concerns of the schools of criminology after the second quarter of the century. Thus Mayhew and Binney find a somewhat delayed but constant relation between the number of reported indictments and the price of corn between 1834 and 1849,² but they are reluctant to make much of this. Similar efforts at about the same time in France and Prussia find little correlation between the two series.³ The perspectives that produced these studies, a mechanical positivism, ceased to dominate work which studied the relation between crimes and the social and economic foundations of society by the end of the nineteenth century when the problem of the crisis and the busi-

¹ Porphyre Petrovitch, "Recherches sur la criminalité à Paris dans la seconde moitié du XVIIIe siècle," in A. Abbiateci et al, Crimes et criminalité en France sous l'Ancien Regime, 17e-18e siècles, Cahiers Des Annales No. 33 (Paris 1971), pp. 187-261, which reports the findings of a team of almost two dozen researchers.

² Henry Mayhew and John Binny, The Criminal Prisons of London (1862), pp. 450-451.

³ We may mention W. Starke, Verbrechen und Verbrecher in Preussen 1854-1878 (Berlin 1884) and A. Lacassagne, "Marché de la criminalité en France 1825-1880," Revue Scientifique (May 1881). Also see the summaries of these and similar work to be found in W. A. Bonger, Criminalité et Conditions Economique (Amsterdam, 1905). An introduction to the various nineteenth century schools of criminology is critically appreciated by Leon Radzinowicz, Ideology and Crime (New York 1966) which adequately attacks the various determinist perspectives without however noting what is still quite important empirical work.

ness cycle replaced the simpler correlations of the earlier period.¹

Nevertheless, the positivism of the first statistical studies of crime¹ has continued to be a perspective producing historical works of some interest.²

One must also mention the great work of Louis Chevalier on nineteenth century Parisian crime in this connection. He asserts that the curve of the price of bread indicates that of all other urban ills including the curve of crime, though no evidence is provided that these rates in fact rose and fell in a meaningful relation.³

¹ Here one must note two works especially: M. Tugan-Baranowsky, Les Crises industrielles en Angleterre, translated from the second Russian edition by Joseph Schapiro (Paris 1913), the third part especially, and Albert Aftalion, Les Crises périodiques de surproduction (Paris 1913), vol. I, chapter 5. A later work in English is Dorothy S. Thomas, Social Aspects of the Business Cycle (New York 1927), chapter VIII particularly. In light of the revived interest in the history of crime these works deserve serious re-appraisal. J. J. Tobias, for instance, Crime and Industrial Society in the 19th Century (New York 1967) ignores this generation of work and his study is consequently the poorer for it.

² For example Albert H. Hobbs, "The Relationship Between Criminality and Economic Conditions," The Journal of Criminal Law and Criminology, Vol. XXXIV, No. 1 (May-June 1943), pp. 5-10, studies indictments and wholesale prices in Philadelphia between 1791 and 1810. He finds a small negative coefficient of correlation (-0.11). The author found this to be an adequate refutation of "economic determinism."

³ Louis Chevalier, Classes Labourieuses et class dangereuses à Paris pendant la première moitié importe, dont la courbe est celle de tous les fléaux. Les rapports de police sont unanimes...". But did the police express an actuality that could be confirmed in actual price movements? In actual movements of reported crime?

Indictment Rates and Mortality Rates

Chevalier invites us to compare the problem of crime in nineteenth century Paris and eighteenth century London. Though separated in time and place two aspects of urban existence justify the comparison. First, the evidence about their respective demographic characteristics appears to have been similar in that quite determined urban growth was maintained in the face of a mounting excess of mortalities over births by a large amount of migration into the city. Second, as an effect of the fundamental demographic fact, each city held a European reputation for being unhealthy and lethal.¹

The criminality of urban life, often evoked and rarely studied, struck fear in the hearts of many, a fear that in Paris at least was associated with the omnipresent ravages of death. Crime and the fear of it, Chevalier argues, were historically specific to the fundamental demographic characteristic that nineteenth century Paris~~s~~ shared with eighteenth century London. While the comparison might be made Chevalier's study cannot provide the basis of making it. His most serious object is to establish "the biological basis of social history." To establish this global task his local argumentation is subordinated and distorted. Thus, not the comparison with nineteenth century Paris but the contrast with Chevalier's methodology must concern the historian of eighteenth century London crime.

¹ Ibid., pp. 399-400.

Chevalier's reconstitution of nineteenth century Paris couples the facts of crime and mortality in continuous images of their concrete manifestations: the morgue and the prison, the cemetery and the gallows, the undertakers and the police. Each are adduced as equivalent symptoms of "urban pathology." Measured alike in adjacent columns by statisticians, evoked by novelists for their powers to horrify, each "normal" in the sense of being 'permanent' aspects of urban life, Chevalier studies them for their adequacy of measuring the "unhealthy state of affairs" of urban life. Distinctions between the two, therefore, are important only as they possess varying powers of describing that "pathology;" actual differences between the causes of them are not investigated. Often Chevalier comes close to asserting that each moved together in a sensible relation:

The crime rate forms part of the normal death rate and is separated from it only by many imperceptible transitional stages. (1)

Or again, crime rates

give us at least as good a means of measurement for the social description of the city as the general mortality tables, so close and consistent are the correlations of time and place for both of them. The method is incontrovertible and also convenient, because it combines the basic data condensed in relatively few figures more simply and usefully than the unwieldy fertility and mortality tables. (2)

Two points must be made about these passages. First, no statistical evidence is provided to establish the assertion which appears to be based

¹ Ibid., p. xiii.

² Ibid.

on such evidence. Second, the assumption underlying both passages is that crime rates and mortality rates measure the same phenomenon, namely the Diseased City. If this assumption is taken as a ^{major premise} ~~first element~~ in a syllogism, the argument as a whole can be summarized by adding to it another, that crime and mortality rates are symptoms of urban pathology, the conclusion then follows that these rates must have moved together, so the problem of establishing it by statistical correlations can be avoided.

Later in the work Chevalier appears to retreat from the consequences of this line of reasoning but without casting doubt on his fundamental conclusion. "Death itself rather than the general mortality rate is what must engage us," he writes.¹ And later he adopts a strange position for an historical demographer: "Death, fertility and crime statistics are historically meaningful only by virtue of the relative importance people accord them."² The overwhelming, dominant conception that guides the

¹ Ibid., xvi.

² Ibid., p. 9. And in the following pages Chevalier convincingly shows the relation between the statistical work of Quetelet and Parent-Duchâtelet to Balzac, Hugo and Sué. Pp. 326-451 are interesting for their studies of suicide, infanticide and murder, tautological forms of establishing a 'relation' between crime and mortality. The particulars in the study are valuable but the whole cannot stand. The argument that hopes to maintain itself by the spurious distinction between "death itself" and "the general mortality rate" also makes similarly fallacious statements about crime: "la criminalité exprime et résume dans sa totalité le problème majeur de l'évolution sociale de Paris Problème qui n'est pas du crime: la description du crime et de ses populations n'occupe qu'une place limitée..." p. 312. "Il ne s'agit pas du crime, mais du caractère pathologique de l'existence urbaine que l'étude quantitative du crime précise." p. xiv.

arguments and description of the whole work is the pathological state of the city. This engages Chevalier's powers of empathy in the ways that the cankered, bilious body of Rome engaged Coriolanus's contempt: the conception of the city is the same, a social organ in advanced stages of decomposition, which all other aspects of urban life reflect in various stages of decay. That these may not correlate statistically does not damage their symptomatic characteristics. It is an example of circular reasoning we must avoid.

Nevertheless, the powers of historical demography to reveal new relations in urban life continues to seduce the social historian. M. Dorothy George begins her famous chapter on "Life and Death in London" with an expression of this hope: "The key to the social history of London is to be found in its changes in population - its growth, and the ratio between births and deaths."¹ While it may become such a valuable tool, the demography of eighteenth century London is limited by the problems of the adequacy of parish registers and the absence of detailed parochial studies.² The social historian who looks to demography for a key to the

¹ M.D. George, op. cit., p. 35.

² The adequacy of parish registers is assessed in general by J.T. Krause, "The Changing Adequacy of English Registration, 1690-1837" in D.V. Glass and D.E.C. Eversely (eds.), Population and History (1965). For London M.D. George, op. cit., Appendix "Vital Statistics" compares the sums obtained from parish registers to those from the Bills of Mortality. D.V. Glass, "Notes on the Demography of London at the End of the Seventeenth Century, Daedalus (Spring 1968), pp. 588-9, compared the enumerations of two different registers of burials and baptisms in forty London parishes in order to obtain an estimate of the completeness of vital registration. He discovered that parish registers underestimated baptisms by about one third and of burials by about one fourth.

problems of London crime finds an implement scarcely improved in the last fifty years and which when applied to our subject produces only negative results.¹

In the first half of the eighteenth century more people died in London than were born in London. The 'shortfall' of births varied from year to year and from parish to parish. The causes of these variations have remained a mystery to the historians of London's population. Neither the explanation which relates it to the price of provisions nor that which explains it by the mass "orgy of spirit drinking" (a view that is still pervasive) ^{is} are satisfactory.² Either explanation would seem to entail a more generalized social crisis which would include in its other effects some noticeable changes in the levels of criminality. Yet a comparison

¹ This is not true for the period of the 1690s about which quite interesting demographical studies are being written. See P. E. Jones and A. V. Judges, "London Population in the Late Seventeenth Century," The Economic History Review, VI, 1 (October 1935), D. V. Glass, "Socio-Economic Status and Occupations in the City of London at the End of the Seventeenth Century" in A. E. J. Hollaender and William Kellaway, Studies in London History Presented to Philip Edmund Jones (London 1969) and D. V. Glass, "Two Papers on Gregory King" in D. V. Glass and D. E. C. Eversley, Population and History (London 1965).

² William Farr, "The Influence of Scarcities and of the High Prices of Wheat on the Mortality of the People of England," Journal of the Statistical Society of London, vol. IX (1846) is an example of the first. M.D. George, op. cit., chapter one is the advocate of the second. While it is true that the shortfall was at its worst (1740/41) before the 1751 Licensing Act, otherwise its magnitude is very great throughout the century, that is, well after the 'orgy' was supposed to have ended. Georges Rudé, Hanoverian London 1714-1808 (1971), p. 6, accepts the explanation.

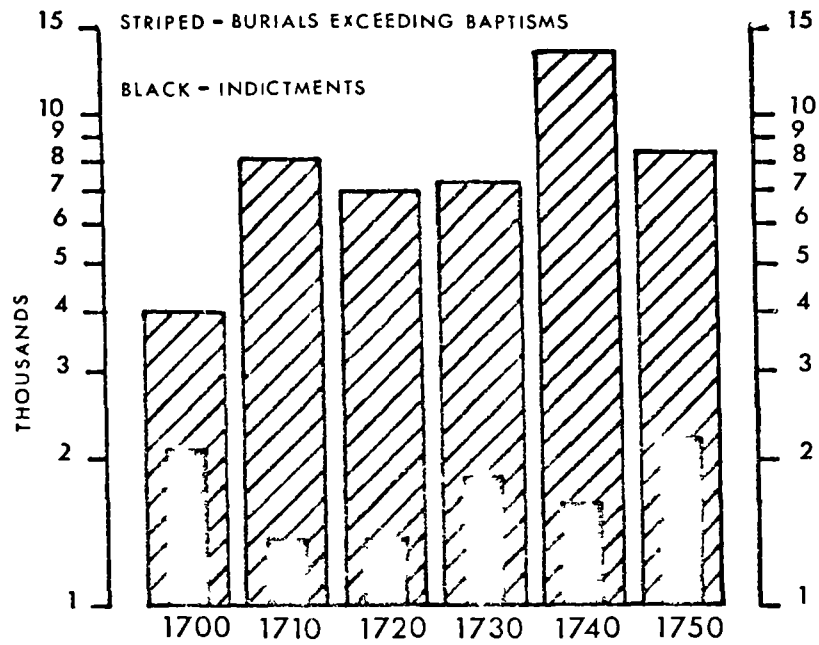
of the number of indictments to this shortfall^{fail} to reveal any correspondence.

No significant relationship between the two can be seen by comparing the number of each at the end of each decade in the first half of the eighteenth century as our graph, "The Shortfall of Baptisms and the Number of Indictments Compared in London, 1700-1750," shows. A number of problems affect each of the series compared in the graph. Only Middlesex indictments are represented in the figures of indictments for 1700 and 1710; otherwise those for the City are included. Southwark and Surrey indictments are excluded throughout. The shortfall shown is that between baptisms and burials as recorded in parish registers and not that of births to deaths. Each figure would have to be inflated to represent actual vital statistics and it is probable that this ratio would be different for each. Thus in 1696-1698 anyway the burial figure stood in closer relation to the real number of deaths than did baptisms to births.¹ These problems affect absolute figures more strongly than they do the relative comparisons that we wish to make. By comparing indictments to the shortfall we enhance the relative nature of the comparison.

Approaching the problem in a different way yields results equally disappointing. In the two following graphs we compare the number of burials to the number of indictments for trespass during the period, 1721-1739, in three London parishes: St. James, Clerkenwell, St. Paul,

¹ See above, page 105, note 2.

GRAPH XIX



The Shortfall of Baptisms and the Number of Indictments
Compared in London, 1700 - 1750

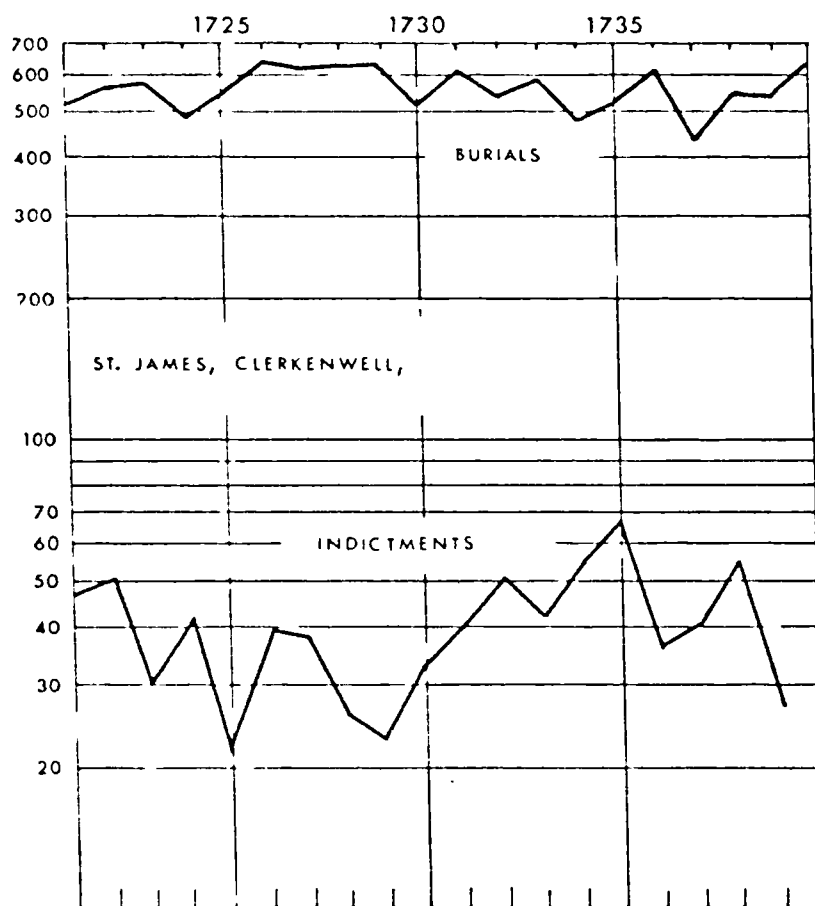
Covent-Garden, and St. Giles-in-the-Fields.¹ We'll discuss each in turn.

In 1801 St. James, Clerkenwell, contained a population of 23,396. A crude estimate of its population sixty years earlier can be obtained by multiplying the mean number of persons living in each house in 1801 with Maitland's estimate of the number of houses in the parish that he

¹ The graphs on the following pages together with the tables that correspond to them in the appendix rely upon information collected from the following sources. The annual number of indictments for the three parishes of St. Giles-in-the-Fields, St. James, Clerkenwell, and St. Paul, Covent-Garden, have been gathered from the information supplied in Middlesex R.O., MJ/SBP, Process Registers of Indictments, volumes xi-xiv, 1720-1740. These contain indictments only for the Sessions of the Peace and Oyer and Terminer; they do not include Gaol Delivery indictments. A description of this series may be found in K. Goodacre and E. Doris Mercer, Guide to the Middlesex Sessions Records 1549-1889 (Greater London Record Office, 1965), p. 24. The number of burials in St. Paul, Covent Garden, is conveniently supplied in Rev. William H. Hunt (ed.), The Registers of St. Paul's, Covent Garden, volume iv, Burials 1653-1752. Harleian Society Publications, volume xxxvi (1908). Burials in St. James, Clerkenwell, are published in Robert Hovenden (ed.), The Registers of St. James's, Clerkenwell, volume vi, Burials 1720-1754. Harleian Society Publications, ~~viii~~ (1894). The burials of St. Giles-in-the-Fields are not published; I would like to thank Rev. G. C. Taylor, Rector, and Mr. Wheatland, the Verger, for their courtesies and permission to inspect two MS. volumes of Burial Registers (1719-1739 and 1739-1761) retained by St. Giles-in-the-Fields Parish Church. I also thank Mr. John W. Hill for his assistance in the latter stages of collecting materials from these registers.

GRAPH XX

Burials and Indictments (Trespass) in St. James, Clerkenwell,
1721 - 1739



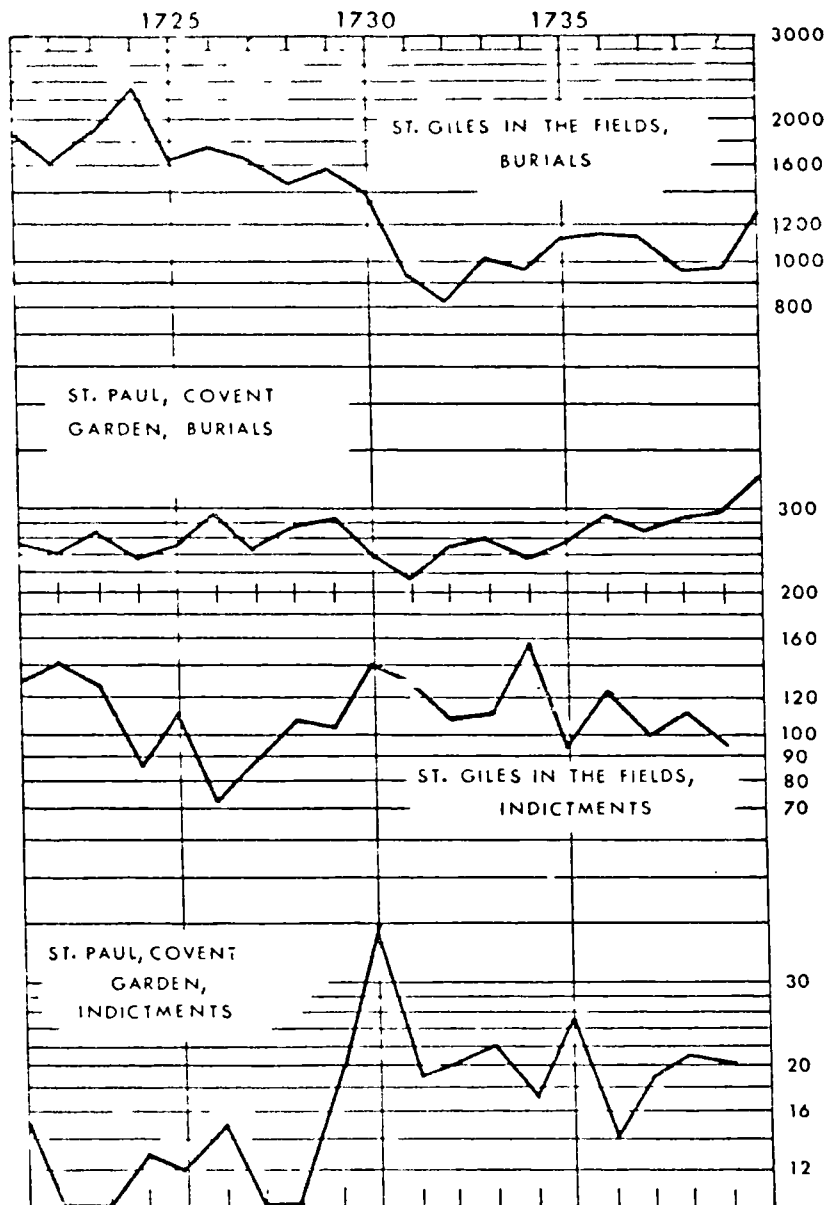
published in 1739.¹ This produces a sum of 13,411. In the year of fewest burials during this period (1737 with 430) the mortality rate in the parish was 32 per thousand. During a severe year (1728 with 634 burials) the mortality rate was 47 per thousand. Neither of these are particularly high rates. They do not during the third and fourth decade of the eighteenth century vary a great deal nor vary according to the movement of indictments for trespass in the parish.

St. Paul, Covent-Garden, was a much smaller parish than St. James, Clerkenwell, both in acreage (26 as compared to 380) and population. In 1801 its population was 4,992 which when extrapolated by the method we have described, was something less than the 5,237 inhabitants of the parish in 1739. Its death rate however was higher than that of the larger parish: in 1740 the death rate in St. Paul's was 68 per thousand, in 1731 it was 40. The number of people buried in the parish during the period did not fluctuate very much from year to year usually remaining between two and three hundred. The number of indictments

¹ See William Maitland, The History and Survey of London (London, 1739). The 1801 figure is taken from Population Returns which are summarized in George, *op. cit.*, and William Page (ed.), The Victoria History of the County of Middlesex, Vol. II (1911), pp. 110-120. Being marginally closer to our period, the estimations of the number of persons per house that are supplied by Gregory King would be preferable to those of the 1801 census were it not unfortunately the fact that the parishes we discuss were not ones he examined closely. See D. V. Glass, "Gregory King's Estimate of the Population of England and Wales, 1695," in D. V. Glass and D. E. C. Eversley (eds.), Population and History (1965).

GRAPH XXI

Burials and Indictments (Trespass) in Two London Parishes,
1721 - 1739



for trespass on the other hand show considerable variation from year to year. The amount of variation and its direction fail to correspond to those of burials and in these characteristics the parish was similar to St. James, Clerkenwell.¹

The picture differs for the parish of St. Giles-in-the-Fields, a parish notorious in three centuries of London history for its criminality and poverty. If there were a place most suited in its conjunction of crime, misery, disease, and mortality to justify the point of view of Louis Chevalier that finds in these equivalent, interlocking indices of urban pathology it would be St. Giles-in-the-Fields. If there were a time in the history of that parish when these "symptoms" were at their rawest, most intense, it would be during these so-called "gin" decades of the 1720s and '30s. Looking at the parish from the outside through the sums and ratios of its demography and criminality the picture so often evoked is corroborated, but without indicating a clear relation between crime and mortality except that they were each large.

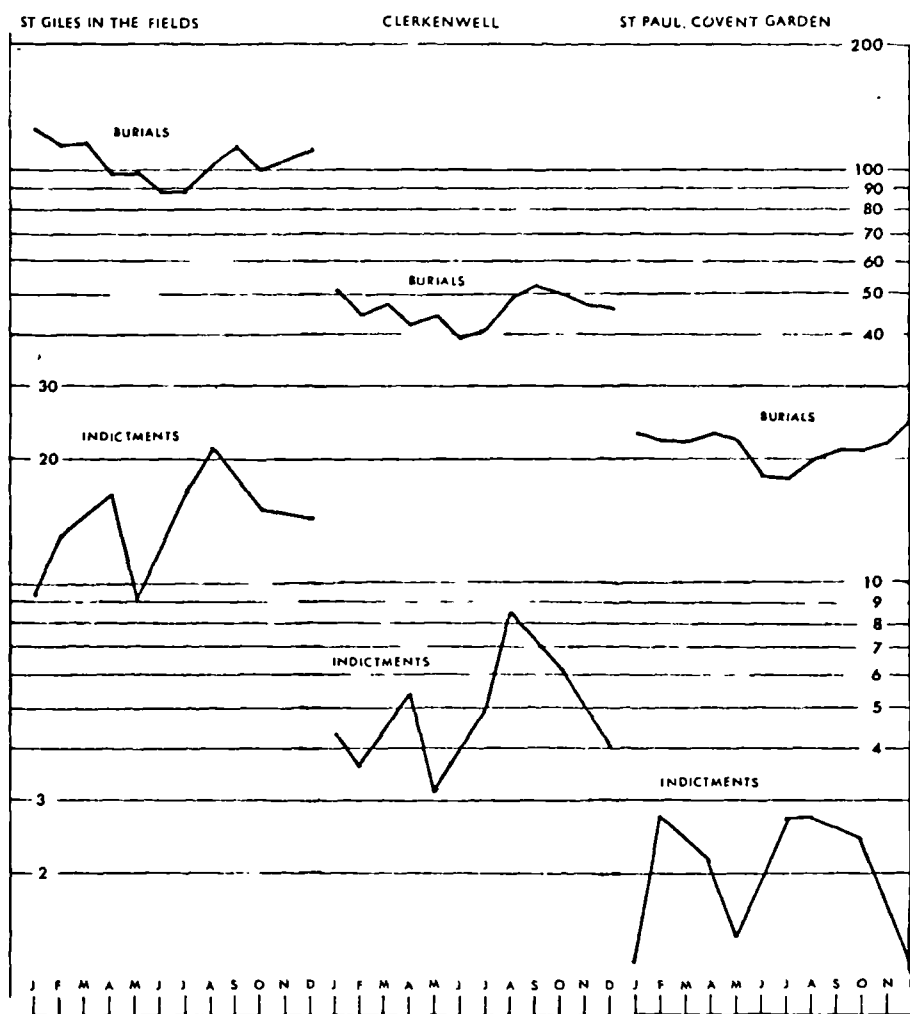
In 1801 the parish had 28,764 inhabitants ("denizens" some historians say).² In 1739 20,703 people lived in the parish if Maitland's estimate

¹ It must be stressed that burial figures underestimate actual burials and actual deaths. D. V. Glass estimates that to find the "true" number of burials those recorded in the parish registers would have to be multiplied by 1.271 at least in the 38 City parishes that he studied. In larger, outer parishes the factor of underenumeration is far less. See, D. V. Glass, "Notes on the Demography of London at the End of the Seventeenth Century," Daedalus (Spring 1968), pp. 589 and 591-2.

² George Rudé, Wilkes and Liberty, p. 15.

GRAPH XXII

Average Seasonal Burials and Indictments (Trespass)
in Three London Parishes, 1721 - 1739



of the number of houses in that year is reliable. In 1724 a tenth of the parish~~s~~ population was buried, a rate of 98 per thousand. Over the next two decades burials in the parish, unlike the trend in St. Paul's or St. James's, declined: burials in the 1720s evened out taking year for year at around 1600, in the 1730s they were about one thousand a year. Neither this pattern nor the variations of particular years correlate one way or the other with indictments for trespass in the parish. These are high whether expressed absolutely or as a ratio to the estimated population, but they are not the highest in London parishes. The statistics of St. Paul, Covent Garden, reveal a ratio of indictments to population in 1740 of one to sixty-three; St. Giles-in-the-Fields one to one hundred ten, the second and third most dangerous parishes of the town.

Turning from these annual figures to seasonal averages the relation in the three parishes between burials and indictments for trespass is more complex. All three parishes share common characteristics in the seasonal rhythm of indictments for trespass: in January indictments are low, in March and April they ascend to a minor peak, in May they fall to rise during the summer to a major peak in August, then to decline again in autumn and winter. The rhythm of the average monthly number of burials in the three parishes also shows a common pattern: a slow decline in the first seven months of the year reaching a nadir in June and July, a sudden ascent in September, a brief fall, and then a rise into the winter. Comparing each of these patterns in the three parishes yields points of contrast and similarity. The early spring rise of indictments finds no corre-

sponding movement, positive or negative, in the curve of burials. Both the number of indictments and of burials falls in early summer and then rise in late summer. Thus the seasonal relationship between burials and indictments for trespass is clear but perplexing: in winter they are in negative correlation, in summer positive, and in the spring none at all.

We have thus far compared burials to indictments for trespass only. We are not in a position to compare in the same way the mortality curve to the number of indictments for felony as this would require a type of sounding in the judicial records which we have not been able to do.¹ Nevertheless we may make the comparison in more limited ways. Our soundings enable us to compare all types of indictments made from the three parishes in 1740. Table II , "Monthly Number of Indictments and Burials in Three London Parishes in 1740," summarizes the appropriate information.

In St. James, Clerkenwell, burials are high for the first five months of the year. They begin to fall in June and reach a low point in August. They then rise and fall again slightly in November and December. The movement of indictments during the year does not correspond to this pattern. They are low during the first four months reaching nil in May.

¹ "The Process Registers of Indictments" (MJ/SBP and WJ/SBP) were volumes that the Middlesex Clerk of the Peace kept summarizing indictments for the Sessions of the Peace. They conveniently noted the parish of the offender. There is no equivalent for the Commission of Gaol Delivery, so the historian must sift through the actual indictment bills to obtain the parish of these indicted for felony and this we have been able to do only for 1740.

TABLE II

MONTHLY NUMBER OF INDIOTMENTS AND BURIALS IN THREE LONDON
PARISHES IN 1740

Month	Clerkenwell		Covent Garden		St. Giles's- in-the-Fields	
	Burials	Crimes	Burials	Crimes	Burials	Crimes
January	60	2	583	0	163	18
February	53	3	36	4	131	16
March	66	4	44	11	111	14
April	64	6	38	4	133	8
May	58	0	37	6	138	12
June	43	1	16	5	68	12
July	41	3	22	19	67	28
August	30	9	21	4	70	24
September	50	4	24	4	80	5
October	63	11	14	5	66	9
November	48	3	25	6	98	12
December	40	2	22	9	97	28

In August nine indictments are recorded and in October eleven. During the twelve months of 1740 then there are some points of correspondence (October) and some points of negative correlation (summertime).

St. Paul, Covent-Garden, had the highest number of burials in January and none were indicted from the parish during that month. March and July were the months that had the greatest number of indictments in the parish. The former of these months had a high number of burials and the latter a low number.

St. Giles-in-the-Fields in its statistics of burials and indictments in 1740 is no more interesting than the other two parishes. The first five months have a high number of burials, over a hundred in each month and 163 in January. Indictments recorded during this time vary between eight and eighteen. In the next four months the number of burials are low, always less than half of the January number. But at this time the indictments reach their highest (28 in July) and their lowest (five in September).

1740 was an unusual year and it may be that a correlation between indictments and burials in the three parishes that we cannot find in it could be found in less severe years. Our preliminary reconnoitering of the problem however suggests that at the most the relationship would be complex indeed if it were found to exist at all. Simple statistical comparisons have not discovered a significant relation between indictments for trespass or felony to the number of burials, and, if we may extend the argument, between criminality and disease. Of course this does not mean that none existed in particular cases nor that none could be detected in types of

analysis that we have not been able to conduct.¹ It does mean on the other hand that interpretations of London crime that consider it a symptom of urban pathology of a similar sort as the mortality rate or of disease are not persuasive. The conception of "histoire biologique" that determines Louis Chevalier's study of crime and mortality in Paris is not one that can withstand the contrary evidence of eighteenth century London. We must also emphasize that while few historians have stated the conception of "biological history" with the boldness or consistency of Chevalier it is nonetheless a conception of the problem of crime which in the form of the unspoken assumptions made or in the imagery employed to evoke the subject infiltrates the thought of many who write about the subject.² For this reason the largely negative findings of the indictment and burials statistics should provoke us to search for other social contexts in which to place the problem of crime besides that which in the powerful metaphors of pathology refers only to the unhealthy state of the city.

Indeed, the enterprise of statistical comparison, at least insofar as it is the exclusive form of historical investigation, has produced disappointing results both in the comparison of indictment rates to prices and to mortalities.

¹ One thinks for example of crimes committed within the household among members of a single family. The study of the victims of crimes may provide a criterion for finding an relation between mortalities and certain types of crime. We have noted already the tautological form of Chevalier's argument in which murder, suicide and infanticide provide the terms of the discussion.

² Examples abound. See Dorothy ^{Marshall} ~~Thompson~~, Dr. Johnson's London (1968), chapter seven, or J. H. Plumb, The First Four Georges (1957), ~~7~~.

Had sensible correlations been found we might doubtless have been led to one type of determinist interpretation or another. The meagreness of our results therefore forces us to inquire elsewhere and to critically examine the concepts or elements that determine the type of serial comparison that we make. This becomes immediately apparent when we examine the relationship of indictments to the wage.

PART TWO:

TOWARDS A CRITICAL ANALYSIS OF CRIME AND THE WAGE:
A SECOND APPROXIMATION OF THE PROBLEM

"... for the first time wages are shown to be the irrational form in which a relation hidden behind them appears."

Marx to Engels, 8 January 1868,
Selected Correspondence (1965).

Chapter Four:

SHIPWRIGHTS AND "CHIPS"

"'Cheat'em,' cant term for Chatham."

Francis Grose,
A Classical Dictionary of the Vulgar Tongue (1785).

"Good-Morrow Father Wright, God speed your Labour;
the old Fellow looks up at him, for he did not see
him at first, and with a kind of pleasant surliness,
answer'd, I don't care whether he does or no, 'tis
Day-Work."

Daniel Defoe,
The Great Law of Subordination Consider'd (1724).

"The study of labouring conditions in eighteenth century England has been limited by the fact that continuous wage figures for that period were practically non-existent." Thus the historian of eighteenth century London wages begins her study. Instead of accepting this limitation and asking why it existed, Gilboy seeks to overthrow the obstacles in the evidence and does in fact discover some interesting information about parts of the London building trades. While careful to qualify her work in the first steps she still concludes that her results "may be used as a tentative measure for the labourer's standard of living." The rates she discovers are "the only kind of statistical evidence available."¹ With the progress of her work the conclusions get bolder: "Without undue optimism ... we may conclude that the standard of living of the London laborer, and even more surely that of the journeyman, improved during the eighteenth century."²

We must make two comments. In the first instance, the slim evidence that she adduces is a shaky foundation for such large conclusions, and in fact to subject it to close

¹ Elizabeth W. Gilboy, Wages in Eighteenth Century England (Cambridge, Mass., 1934), pp. xvii, 22.

² Ibid., p. 37.

examination will show that the conclusion cannot be supported. Second, the limitations of the evidence do exist if it is a continuous wage series that is sought; however, the very difficulty of obtaining these is in itself of as much interest as the conclusions that might be derived had such a series been obtainable. Let us look more closely at each of these objections.

The shoulders of the Westminster Abbey building workers were strong enough to keep that edifice in repair but not great enough to place comfortably the burden of eighteenth century London wage estimations. Miss Gilboy extracted the daily rates of plasterers, paviours, plumbers, masons, carpenters, bricklayers and their labourers. She wisely refrains from extrapolating from these the weekly or annual rates of these workers as there is no evidence from which to determine exactly the length of the working week, the number of holidays in the year, or the continuity of employment in a trade notable for its seasonality. On the other hand no information is provided about deductions from these wages of account for fines or tools, nor about the frequency of payment or the form of payment. Nevertheless she is confident in asserting that such per diem rates were typical

of the wages of "middling" tradesmen in eighteenth century London. Leaving that assertion aside one may question whether these rates were typical even of building workers.

Variations in eighteenth century London building wage rates are too great for us to make easy assertions about the "typical" wage. From 1705 to 1760 the paviours employed at Westminster Abbey worked for three shillings a day.¹ A trade dictionary of mid-century tells us that a journey-man paviour "earns Twelve or Fifteen Shillings a Week; but their Employment is very precarious."² From the same place we find that bricklayers earned about twopence to fourpence less than the rate at Westminster Abbey; house carpenters between sixpence and a shilling less, though the figure for ship carpenters is about the same.³ Wage rates for building workers at the Tower of London in the 1720s have been published. Carpenters earned two shillings and sixpence a day, bricklayers two and ninepence, plumbers two and ten. Labourers worked for a rate between one and eightpence and two shillings twopence. These rates are less than those

¹ Ibid., Appendix II, Table II, "Westminster Abbey - Medians of Craftsman's Wages." Future references to Westminster wage rates are taken from this table.

² R. Campbell, The London Tradesman (1747), p. 169.

³ Ibid., pp. 159, 299, 158.

paid at Westminster excepting those of labourers who got somewhat more.¹ Neither of these sources is particularly compelling: a sceptical reader might dismiss the first as guess work and the second source is like enough to the Westminster accounts to allow the fact of variation without damaging Gilboy's evidence sufficiently to discredit her conclusions. We must look elsewhere, down river in fact to His Majesty's Royal Dock Yard at Deptford.

From 1710 to 1770 plumbers worked at a daily rate of three shillings at Westminster Abbey. In 1748 and 1749 at Deptford plumbers (two were employed each year) worked at a rate of two shillings sixpence a day, an increase apparently of twopence from the rate in the 1690s.²

Carpenters at Westminster Abbey were paid two and sixpence from 1700 to 1731 and thereafter usually three shillings a day until 1777. At Deptford their rate of pay was one and ten in 1748 and 1749 a rate unchanged since the 1690s at least.³

¹ B.L. Hutchins, "Notes Towards the History of London Wages," The Economic Journal, X (March 1900), pp. 103-4.

² Wage rates for workmen in the Deptford Yard in 1748 are provided in Daniel A. Baugh, British Naval Administration in the Age of Walpole (Princeton, 1965), Table 19, p. 309. Wages in the same place for the 1690s are given in John Ehrman, The Navy in the War of William III, 1689-1697 (1953), p. 93. Rates of the midsummer quarter of 1749 are taken from the Deptford Yard Pay Books, P.R.O., Adm. 42/540.

³ Ibid.

Bricklayers at Westminster Abbey were paid two shillings eightpence a day for the first fifteen years of the century and thereafter about three shillings with the exception of 1736 and 1742 when they were paid two shillings tenpence. In 1748 twenty bricklayers were employed at Deptford at one shilling eightpence a day. A year later the rate was the same for fifteen bricklayers. This rate¹ too was no different from that of the 1690s.

The discrepancy between wages at Westminster Abbey and Deptford ~~are~~^{is} no less if we consider those of the labouring assistants to these tradesmen. From 1705 to 1734 the bricklayer's labourer worked for one shilling tenpence a day at Westminster, from then until 1787 his pay increased to two shillings a day. In 1748 and 1749 the bricklayer's labourer at Deptford received one shilling and twopence a day. Excepting twelve years scattered through the first half of the eighteenth century the general labourer at Westminster Abbey worked for one shilling and eightpence. For at least the first half of the century the

¹ Ibid.

general labourer in Deptford worked at a rate of seven-pence less than this.¹

Clearly, as these comparisons indicate, we are not faced with a homogeneous wage market in the eighteenth century building trades, and only such a market should allow us to speak of 'average' or 'typical' rates unless these are to be entirely the reified figments of the historian's calculations. On the other hand the rates at the Deptford Yard were probably paid to a larger number of workmen; it being a greater labour to build a ship than to keep an Abbey in repair.

Miss Gilboy does not tell us the number of workmen employed in each trade at Westminster Abbey. In Deptford such figures are easily available. Naval ship yards, on the vanguard of industrial organization in the eighteenth century, were faced with a scale of operations and a complexity in the division of labour that made systematic accounting a necessity. During the war of the 1740s the Deptford Yard, a small one in comparison to the southern

¹ Ibid. We should stress that the categories "labourer" and "trademan" or "craftsman" are juridical and subjective categories reproduced without criticism from the evidence. They do not as we shall see necessarily correspond to the actual, objective conditions of work.

ports or to those in the ^{Med-}way, employed 1,532 workers.¹

In the summer quarter of 1749 with the abatement of sea operations as peace drew nigh the yard still employed over a thousand workers. In that year 52 carpenters, 15 bricklayers, 12 bricklaying labourers, and 236 general labourers were employed.² Their wage rates, not typical certainly, were paid to a greater number of people than were employed at Westminster Abbey. A "continuous wage series" for a large number of people is possible to obtain in London; even so, it would be foolish to rely on such a series in order to determine the "standard of living" of London labouring poor or even indeed for the Deptford Yard workers: wages on the books is not money in the pocket which brings us to our second comment.³

Instead of holding fast to slight evidence to squeeze out wage figures in order to compare them to equally uncertain price figures, a process which an older historian said "could only result in mystification," we should take

¹ Daniel A. Baugh, op. cit.

² P.R.O., Adm. 42/540.

³ This is not to say that nominal wage rates are not important, nor that the search for various wage series should not be undertaken. We regret not being able to obtain Mr. Norman McLeod's unpublished paper, "Shipwright's Wages, 1496-1788," cited in Ehrman, op. cit., p. 93.

the limitations of evidence :
 evidence itself, as the subject of our study.¹ The
 monetary wage as the exclusive or main source of earnings
 is itself the product of history, created in the contexts
 of innumerable struggles in the various branches of
 London's manufactures. Where the form of the wage and
 not its measured amount is at question an analysis of living
 conditions by means of wage-price indices breeds confusion
 at best and anachronism at worst. Thus, our problem is
 less the limitations of evidence than it is a conceptual-
 ization of the productive relations that have left the
 historian evidence of a certain type. Let us illustrate
 this problem by looking at the wage in the Deptford Naval
 Yard.

The wage rates that we have quoted in Deptford Yard
 are not an accurate guide even to nominal monetary earn-
 ings. Against them certain formal and informal augmentations
 and deductions must be accounted. For a start, overtime
 rates must be added. This was measured in "tides," or
 hour and a half units of night work and dinner work.

¹ Paul Mantoux, The Industrial Revolution in the Eighteenth Century, revised edition (1961), #,

Tide rates for shipwrights, joiners, carpenters, caulkers, bricklayers and wheelwrights were sixpence. For labourers and sawyers (on time rates) they were threepence. The system of apprenticeship was controlled by the craftsmen, not the Yard officers, and worked in such a way that reduced both the burden of work and increased the wage of the 'skilled' workers to whom "servant" wages were paid.¹

The Yard Officers often owned or managed yards or supply houses of their own.² At Deptford they were in a position to requisition the labour of the Yard, so payment on these private accounts must be added to the worker's wage.

Against these additions several types of deductions from the nominal monetary wage have to be made. The salary of the surgeon resident at Deptford was paid from the mens' wages. Pay clerks accepted a customary fee from workers before entering the amount of work time in the Pay Book.³

Finally, disciplinary deductions were common. Loitering

¹ Baugh, op. cit., p. 318: "Concern for the servant as a craftsman in embryo was nothing compared with concern for the servant as a means of rewarding and supporting a deserving workman."

² Ehrman, op. cit., p. 94.

³ M. Oppenheim, "The Royal Dockyards" in William Page (ed.), The Victoria History of the County of Kent, vol. ii (1926), p. 376. This, the fullest secondary treatment of the subject, relies upon thorough work in State Papers and Admiralty and Navy Board papers.

in the yard, tipling in the yard, absence at the mid-morning and mid-afternoon calls, "baseying" (bounding the walls during the working day) were all common offenses punished by fines deducted from the monetary wage.¹

The form and frequency of the payment of nominal wages encouraged a system of real payment whose effect was to reduce money wages even further. In the seventeenth century wages payments at Deptford were often several years in arrears. While this appears to have improved somewhat in the eighteenth century, it was still an important enough matter to fight about as the Deptford workers did in 1762 when wages were fifteen months behind.² Wages were paid (if they were paid) only twice a year and when the dockyard workers complained about this in 1739 the Navy Board chastized them for their "enormities." If the Yard Officers wished to discharge a man they would count an absence grounds for marking him "Run" (deserted) and thus deny him his accumulated wages. This practise amounted to little owing to the power, often exerted through influence in Parliament, of professional wage-buyers and shopkeeping creditors.³ In cases where the wage was actually paid to the men, instead of being merely a wage of account settled between the Navy Office

¹ Baugh, op. cit., pp. 316 ff.

² Ibid.

³ Ehrman, op. cit., p. 92.

and the Deptford creditors, Naval tickets, not money, passed hands. In theory these were redeemable at face value some miles away at the Navy Office. In fact they were redeemed at a usurious discount of between 25% and 50% during the first half of the century.¹ In the face of these deductions and the prevalent forms of payment of wages that were already low (at least in comparison to building tradesmen at Westminster Abbey) it might well be asked how the men lived at all. It is a point that "neither contemporary nor modern economists can explain."² For the Deptford dockyard workers the answer may perhaps be found in what later economic thought would term the 'inefficiencies of production' and in what at the end of our period will be the subject of a massive assault through the criminal sanction.

The inefficiency of shipbuilding in both private and Royal yards arose from the exuberant corruption that flourished on all levels of dockyard organization from the Commissioners to the bottom man in the sawyer's pit. When it was observed at the end of the eighteenth century that the dwellings of dockyard workers were constructed of

¹ Oppenheim, op. cit., p. 376. In 1762 the discount had dropped considerably, to 7½%.

² David Ogg.

materials formerly of His Majesty's Naval Stores or when following the naval defeats of the American War of Independence it was remarked that more ships were lost piecemeal in women's aprons than to enemy action at sea, a note of exaggeration emphasizes the fact that shipyard inefficiency spelled meat and drink to dockyard workers.¹ The nominal monetary wage was not at this time a matter of contention, the men apparently were satisfied to lie supine before its oppressive exactions. Against this lethargy on the front of wages must be placed the vigour of protracted struggle that defended the men's control over the pace of work, the materials of labour, and the structure of the labour force in the yards. On these fields of contention the men enjoyed a power, especially in wartime, that compensated for the low nominal wage. Slowdowns, absenteeism, tipling, and "baseying" were complained of constantly by yard supervisors.² These practises reduced productivity. Control over the materials of labour increased actual income.

¹ Robert G. Albion, Forests and Sea Power: The Timber Problem of the Royal Navy, 1652-1862 (Cambridge, Mass., 1926), p. 87-8. For the corruption of the yards in general see especially chapter II, passim.

² Ehrman, op. cit., p. 90-92, and Baugh, op. cit., pp. 310 ff.

At the beginning of the century the Naval Board sought to limit the winter working day to eight hours, not in order to reduce payment of "tides," but to eliminate "the roguery and villainy they commit when it is beginning to grow dark." Hemp and cordage were easy to steal, only excessive instances come to light: in 1702 for example a shipwright was stopped for "accidentally" packing 36 lbs. of cordage in his tool box.¹ Copper and brass fittings were valuable items of embezzlement. Smuggled treenails provided the initial capital of more than one private ship-building enterprise. In 1729 sailmaking was removed from outside contract work to manufacture within Deptford Yard. Canvas dealing soon became a common part of the wares sold by small marine dealers outside the walls. Sailmakers cut out canvas and sewed up breeches in the Yard to sell to shipwrights and seamen.² So rife and intricate was this system of corruption that a 'Fable of the Bees' might be written to describe it, though here the 'private vices' led to 'private benefits', the 'publick' getting slow repairs and shoddy ships. We cannot enter this jungle of

¹ Oppenheim, op. cit., pp. 353 and 363-4.

² Ibid., p. 368.

In 1662 it was ruled that "chips" should consist only in what could be carried out by one worker one day a week, a ruling that was a dead letter from the start. In 1702 the Deptford men maintained the right to take chips out of the yard three times a day and to enlist the assistance of their families in the appropriation.¹ In 1730 the Admiralty defined chips as those "lawfully made with Axes or Adzes, but not any sawn ends or Slabs of old Wood of any Kind."² In 1739 the Navy Board said that dockyard workers were entitled only "to such Chips as shall be split out by their tools."³ A 1753 regulation attempted to limit the amount of chips to those that could be carried out of the yard untied under one arm. In 1764 we learn that at Deptford "what is called the Poor, were allowed into the Yard twice a week to gather "offal timber."⁴ In 1767 letters were published which explained

¹ Oppenheim, op. cit., p. 358.

² Baugh, op. cit., p. 321.

³ Oppenheim, op. cit., p. 370.

⁴ Ibid., pp. 358 and 373.

among other Irregularities growing out of the Privilege, the many Evils which resulted from admitting, into the Body of the Dock-Yards, and on-board of Ships that were building, etc. at Certain Hours in the Forenoon of every Wednesday and Saturday throughout the Year, all Sorts of People, without Exception, (who on a moderate Computation, amounted in the Whole to upwards of two Thousand, mostly Women,) to take from thence the small Chips and Gleanings of the Yard: Hence arose an Opportunity of carrying away whatever was convenient to supply some of them with, and for others to lay their Hands on, whether respecting wooden Materials or of Iron or Cordage; to the breaking in upon all Order, encouraging Licentiousness, and a general Neglect of the King's Duty, especially among the younger Apprentices, and to the great Detriment of the industrious Poor in the Neighbourhood of the Dock-Yards, for whose Comfort and Support the Humanity of Government, under certain Restrictions, appears to have at first allowed of that Indulgence. (1)

In 1769 at Deptford the Wednesday and Saturday custom of letting in "mostly Women" was placed under some control. They were allowed only to partake of the small chips or sweepings and these were twice weekly carted to the yard gates so that nobody was allowed to pass the officer and porter into the yard itself.² In 1783 the Navy Office reported:

¹ Yeoman Lott, An Account of the Proposals made for the Benefit of His Majesty's Naval Service (1777), p. 8.

² Ibid., p. 20.

The Custom hitherto has been for the Men to leave off Work perhaps Half an Hour before Bell Ringing, and even during Working Hours, to cut up clandestinely useful Timber to complete their Bundles, which are frequently sold as high as 1s. each. (1)

In 1795, Samuel Bentham, the Inspector General of Naval Works, took lodgings by the Portsmouth Yard gatehouse in order to make precise calculations of the amount of chips (each less than a yard) that were taken from the yard. Not only did he learn that they provided one of the main sources of the fuel of the poor, they also provided the characteristic form of architecture in the neighbourhood:

This practise of allowing chips and its influence on the construction of second-rate houses in Portsea and its vicinity; stairs were just under three feet wide; doors, shutters, cupboards, and so forth were formed of wood in pieces just under three feet long. (2)

What was the value of this perquisite? Unfortunately we do not know enough about disposal networks and practises of payment among the little extramural dealers to determine an accurate answer to this question. Nor do we know how the intensity of the practise varied with living conditions,

¹ J.H.C., vol. , p. 372 (13 February 1792).

² M.S. Bentham, The Life of Brigadier-General Sir Samuel Bentham (1862), p. 143.

prices, or nominal wages. What is clear enough was that it represented both a substantial increment in income to yard workers and a serious loss to the Navy. Deptford workers in the seventeenth century said they could not live without it. Later historians have agreed.¹ If rightful chips were worth a shilling a day in 1783 (without considering unrightful chips, offal timber and what the outside poor took), it was a perquisite providing between a third and a half of weekly earnings. Yeoman Lott who certainly knew as much about this as anyone in the 1750s and 1760s thought that there was a direct relation between the amount of chips taken and real wages. The price of provisions ~~were~~^{was} about ten percent higher at Deptford, he said, than in the other Naval dockyards, and it was this that in his experience accounted for the more serious extent of Deptford depredations. Indeed he relates the changing definition of chips to the level of real wages:

A great Quantity, not much less, probably, than Three-Fourths of the Chips, before carried out, were not properly Chips, but the Materials of Offal-Timber, Plank &c., &c.... which had been applied as Chips by

¹ Baugh, op. cit., chapter 6, passim, Albion, op. cit., pp. 80 ff., Ehrman, op. cit., p. 95 estimates that the perquisite added about three shillings to the weekly income.

a Kind of Custom, to which the Facility of coming at them had been a Temptation, greatly strengthened by the Necessities of the Workmen, whose Pay, for above a Century past, had not been increased. (1)

We are in a better position of measuring the value of the perquisite by measuring it as a loss against the Navy rather than a gain for the dockyard workers. In the last decade of the century an official estimation of losses from all Naval yards was but a half a million pounds sterling a year. Informally it was believed that the actual loss was nearer four times that amount.² In the 1760s merchant's yards were said to have saved between a third and a half what a ship would cost in the King's yards by altering the yard division of labour in a way that minimized the possibility of creating chips.³ Yeoman Lott, one of the Measurers to the Clerk of the Cheque at Deptford Yard (1752-1763), conducted an experiment between 1768 and 1770 that was expressly designed to determine the monetary loss taken by chips. He determined that in the construction of a third-rate vessel (74 guns) the proportion between lawful chips and the "neat Content" of timber in the ship was four to eleven, and it was this proportion that he sought to

¹ Lott, op. cit., p. 10.

² D.N.B., "Samuel Bentham."

³ Lott, op. cit., p. 26.

re-establish. In actual practise he learned that sixty percent of all classes and grades of timber ordered for the construction of a third-rate found its way out of the dockyard in the guise of chips.¹ This great loss of materials was the result of the inability of the Navy to seize control of the work process. Other "enormities" committed in the name of chips, the loss of working time, the deliberate damaging of ships brought in for repairs, the taking of well-seasoned timber for chips and the leaving of green timber for ships, were practises illustrating how this form of income was embedded in the control that workers exerted through the job: production of income for the labourers and productive labour for the Navy were in many respects indistinguishable.

Time and again the Navy sought to compound for the privilege by increasing the nominal wage. In 1663 a penny a day was added to the wage for this purpose: the men took the penny and kept the chips.² In 1783 it was proposed that fourpence a day to shipwrights and twopence a day to carpenters "be entered an extra Sum on the Pay Books, as in

¹ Ibid., pp. 33-36

² Oppenheim, op. cit., p. 3.

lieu of Chips, that the Perquisite may never on any Pretence come into future use."¹ This too failed. Indeed it is safe to say that any attempt to compound for the chips that did not at the same time abolish the basis of the dockyard workers' power in the job was doomed to fail. Yeoman Lott tried this partial solution, indeed he devoted the best part of ten years at Deptford in the attempt, with the consequence of losing his job and having his life made miserable. In 1757 he presents the Admiralty with his plan of allowing "Artifiers of his Majesty's Yards an Equivalent in Lieu of their Perquisie Chips." In 1767 he published a pamphlet, Important Hints towards an Amendment of the royal Dock-Yards. In 1770 he investigates the dockyards of Amsterdam and Rotterdam. Though proposing an across the board wages increase of sixpence a day, his proposal at every step meets the concerted opposition of the artificers it was supposed to benefit. He becomes a defendant in a suit. "He has been," as he petitioned the Admiralty in 1768, "a great Sufferer, to the frequent Hazard of his Person and Employment, and the manifest Injury of his Property." He's expelled from

¹ J.H.C., vol. p. 376.

Deptford. No one would give him a job at Chatham or Woolwich. When he finds a place as an agent for the Royal Hospital at Plymouth, his life there is one of continuous trouble. His garden plot was "intirely destroyed and laid waste." None will cooperate with him until bowing before two years of harrassement he resigns that job too to become a solitary petitioner, a pathetic crank, a failed entrepreneur.¹

Failures to the Navy were victories to the yard workers achieved by "mutiny," "commotion," and "insurrection." At the beginning of war in 1739 the Deptford workers with those of the other Naval Yards went on strike because the Navy attempted to reduce night and dinner work and to eliminate a good part of chips by requiring the men to unbundle their loads as they departed work in the evening. The application of troops brought the "mutinous" men back to work without settling the issues.² The issue of perquisites figured too in the ropemakers' strikes that swept through the Naval Yards in the summer of 1745.³ In June 1755 the shipwrights and carpenters at Chatham struck the yard and boycotted the gates to prevent their perquisites from being "injured."⁴

¹ Lott, op. cit., pp. 1-3, 6-7, 12, 19, and 36 ff.

² Oppenheim, op. cit., pp. 369-70, and Baugh, op. cit., p. 322.

³ P.R.O., Adm. 106/2181, fols. 180-237.

⁴ Oppenheim, op. cit., pp. 373.

In October 1758 a similar issue caused the Deptford workers to strike. In April 1768 shipwrights fought the marines over "a Bundle of Chips," their "Custom."¹

The most serious offensive against the practise would have revolutionized working relations in the Yard had it not been defeated by a series of counter-attacks launched by the men against the introduction of "task work." In 1752 the Admiralty rebuked the Navy Board for failing to execute its positive injunction that task work be introduced throughout the Yards. The scheme was a favorite of Lord Sandwich who, faced with the Parliamentary investigation into the conduct of the Navy during the American war, had cause to elaborate at length on the issue and account for its failure.² He calculated that a shipwright working on time with double tides made four shillings and twopence a day. At task work the working week would be five hours shorter and wages five shillings and threepence a day.³ In 1775 when the attempt

¹ Berrow's Worcester Journal, 5 May 1768.

² G.R. Barnes and J.H. Owen (eds.), The Private Papers of John, Earl of Sandwich, First Lord of the Admiralty, 1771-1782. Vol. iv, Naval Records Society, pp. 363 ff. (1938).

³ The preservation of materials, improvement in the quality of work, and hastening the speed of work were advantages to the system that Sandwich was able to demonstrate from the experience of constructing by this method the frigate Minerva and the Europa. Besides, task work reduced the cost of construction by half. Ibid., 287.

to apply this system was seriously engaged Sandwich reported that "factions, enthusiasm, obstinacy, and ignorance ... kept the artificers in direct opposition to work in that mode." Indeed successful introduction of task ^{work} ~~force~~ would not only have seriously undermined the basis of appropriating chips but have removed control over the pace and quality of work from the men to the Yard officers. An issue of power was at stake as the Annual Register in its report of the coordinated strikes against task work recognized: the system would put it "in the power of any petty officers to deprive them of the hard-earned reward of their labour."¹ Lord Sandwich appreciated this fact too and wistfully remarked: "in this country of liberty, the idea of forcing people to work in a manner they dislike would not be generally approved, and might occasion great uneasiness, possibly general commotions."

"The efficiency of a yard ... depended not only on its equipment but also on its organization, and particularly on the control which could be exercised over the workmen," thus the historian of the Navy of William III sums up the main problem.² Forced to retreat from the ideal solution, task

¹ The Annual Register, 1775, p. 168-169.

² Ehrman, op. cit., p. 88.

work, the Naval authorities were reduced to less effective, more costly expedients. These can be placed under the heads: control of materials, control of access, and control of the workers. The last heading may be discussed under the subheads: control by recruitment, by regulation of the detail of labour, by supervision, by force, and finally by the criminal sanction.

At the Restoration when James, Duke of York, commenced Lord High Admiral, his first action was the promulgation of a rule to check the theft of naval stores: timber and metal goods were to be stamped with a broad arrow and cordage and sailcloth belonging to the Navy were to be marked by a strand of characteristic thread.¹ The result of the regulation defeated its object and all marine stores regardless of their owners came to be marked in this way. "An Act for the better preventing the imbezlement of his Majesty's Stores of War" passed in 1698 made the practise of marking private stores with the King' sign (the broad arrow on timber, a blue streak in canvas, and a contrary thread in cordage) illegal and punishable by forfeiture of the goods and a two hundred pound fine.² Though the

¹ Oppenheim, op. cit., p. 351.

² 9 & 10 William III c. 41.

Act allowed one moiety of this fine to the informer there is no evidence that the law deterred many from these "frauds, thefts, and imbezlements." In 1722 another Act made this one perpetual and allowed judges considerably more discretion in punishment which in addition to forfeiture and fine included whipping, imprisonment or consignment in the workhouse.¹ By the 1760s the phrase, "red sail-yard docker," became a cant term referring to those who made a living by smuggling the King's naval stores: thus the language reflected a real transformation of a custom to a crime.²

Access to the yards was controlled in the first instance by enclosing them. Unlike the fortifications surrounding Sheerness or Portsmouth with their bastioned tracing, counter-guards, and mortared curtains, the lines formed by the Woolwich and Deptford brick walls were simplicity itself interrupted (at Deptford) only by a walled corridor at the main gate, an architecture designed to contain an enemy within not to repel one without.³ In 1670 the enclosure of

¹ 9 George I. c. 8 ("An Act for ... the preservation of naval stores.")

² George Parker, A View of Society, Vol. ii (1781), and Francis Grose, A Classical Dictionary of the Vulgar Tongue (1785). The term like the thing is obsolete by 1890.

³ Ehrman, op. cit., Plates III - VI, shows plans of the dockyards in 1698.

work at Chatham behind brick was accomplished against the opposition of the shipwrights. At the accession of George I the private passages through the walls backing houses on the outside were bricked up as another attempt in the physical organization of work to control the appropriation of the materials of work.¹ The incarceration of labour, a principle aspect of both the factory and the prison, are thus anticipated in Naval architecture at Deptford and Woolwich.

The Sixth Report of the "Commissioners appointed to inquire into the Fees, Perquisites and Emoluments of Public Office" provides us with the facts of the security arrangements at Deptford which included the problem of access and egress. A gate's only as strong as its porter. The duties of the Master Porter at Deptford, besides attending the gate, included ringing the work bell at proper times, controlling the walls and private passages through them, preventing baseying, and in the absence of the Master Shipwright or his assistants searching "all shipwrights and caulkers going out of the Yard and to take from them all timber, plank or which under the pretence of chips, he may find them carrying with them."² He was assisted in this work by the form of the gate, a sluice, forcing the flow of departing

¹ Oppenheim, op. cit., pp. 344, 356, and 363-4.

² Parliamentary Papers, Vol. vii (1806), Sixth Report, pp. 323-338. The investigation of the Deptford Yard officers was conducted in the summer and autumn of 1787.

men, as it were, to trickle rather than flood out, and by the duties of several other Yard officers.¹ The main job of the Second Assistant to the Master Shipwright was "to attend at the gate at bell ringing every time the men leave work, to see that they do not carry out any unlawful chips, nor embezzle any of His Majesty's stores." The Sawyer's Measurer to the Master Shipwright shared with the Sawyer's Measurer to the Clerk of the Cheque the responsibility of guarding the gate at bell ringing and searching the sawyers for illegal chips. Most sawyers, sixty-two of sixty-eight in 1749, worked by the piece at rates which varied according to the different timbers (oak, elm and fir) cut and to which end of the saw was worked, the topman usually getting about a shilling a day more than the pitman.² The Measurer responsible for assessing output who worked for the Shipwright required checking by the Measurer who worked from the store house, under the responsibility of the Clerk of the Cheque. But for caulkers, ship-

¹ "Where 'clock alleys' would be established near employee entrances, rails or other barriers should be considered so employees can be channeled to the clocks in single lines. This will make identification and control of employees by the security force more positive and effective." Walter M. Strobl, "Building Security," Supervision: The Magazine of Industrial Relations and Operating Management, Vol. xxxvi, 10 (October 1974), p. 22.

² P.R.O., Adm. 42/540. Deptford Yard Pay Books, 1748-1749.

wrights and sawyers alike the responsibility of job assignment and determining job completion belonged to men also in charge of discipline and security. The integration of the two functions in a single line of organization made the execution of each less efficient. In this jungle not just the lower beasts were corrupt: the rule was all plunder who plunder could. Guards of the guardians compounded the corruption. A gate that might not be walked through might be talked through.

Parallel to these supervisors was another department of Deptford personnel responsible for security outside the context of work: the watch. Eight-seven were on the pay books in 1749, the third most numerous (behind shipwrights and labourers) of the twenty-three categories of labour employed.¹ Rotated in day and night shifts their job was to patrol the walls and to guard against night-time depredations. Recruited from superannuated workers and paid but a shilling and a penny a day they were easily eluded and often colluded with those they were supposed to watch. As a result the Navy Board in 1764 posted a permanent detachment of marines at Deptford to guard the

¹ P.R.O., Adm. 42/408. Deptford Ordinary, 1748-1749.

yard.¹ Faced with the control that dockyard workers exercised in their craft and their ability to defend this strength by collective action, the external security arrangements of the Yard were only a superficial remedy.

Attempts to attack this problem by controlling the recruitment to the yards also failed. Shipbuilders in the sixteenth and seventeenth centuries had been impressed to work in the yards, though by the middle of the seventeenth century voluntary enlistment had become the rule and the practise of forced labour in the Thames Yards appears to have disappeared by the eighteenth century.² A bill "to give Power to change the Punishment of Felony in certain Cases to Confinement and hard Labour in His Majesty's Dock Yards" was offered in the middle of the eighteenth century but died in the House of Lords.³

In 1739 and 1755 the apprenticeship system was attacked but the strikes of those years defeated attempts at the "dilution" of labour. These schemes, it was clear, were designed less to increase the supply of labour than to break its power. "Servants," as Commodore Steward informed

¹ Oppenheim, op. cit., p. 377.

² Edward Basil Jupp, An Historical Account of the Worshipful Company of Carpenters of the City of London (London, 1848), pp. 183-187. Also, N. Macleod, "The Shipwrights of the Royal Dockyards," The Mariner's Mirror, xi (July 1925), p. 282-283.

³ J.H.L., Vol. xxvii, pp. 649 and 661 (February 1752).

Lord Sandwich, provided "a large supply of active good young workmen by which means you were enabled at all times when mutinous or disorderly behaviour took place to discharge those principally concerned, and in that way supported proper subordination."¹ In 1783 a "Black List" of troublemakers was circulated among the yards but to little effect: "troublemaking" was as much an endemic aspect of the relations of production as it was the 'accidental' quality of a few political leaders.² Personnel policies alone could not provide "proper subordination" in the yards; this will be achieved in the period after the Napoleonic wars when every aspect of dockyard work is restructured.

In 1783 the Deptford authorities, in the meanest most futile effort, prohibited the wearing of overcoats or wide trousers in any part of the yard. In the "Great Storehouse" was forbid the wearing of trousers of any sort. The "King's armour" kept thus by "unaccomodated man ... no more but such a poor, bare, forked animal."

Over him was cast, as a last resort, the shadow of the gallows. 31 Elizabeth I, c. 4 (1589), "An Act against the

¹ Stewart to Sandwich, 29 September 1781, Barnes and Owne, op. cit., p. 410.

² Oppenheim, op. cit., p. 379.

imbezelling of armour, habiliments of war and victual," made the theft of naval stores a felony, and 22 Car. II c. 5 (1670) removed benefit of clergy from the offense,¹ but these Acts were infrequently used (none in London or Middlesex during the first half of the eighteenth century was hanged under them) and the Admiralty preferred to exercise less drastic violence. In the seventeenth century the construction of stocks and a whipping post inside the Chatham and Deptford yards was to no avail: no sooner built than they were torn to pieces. Statutes passed during the reigns of the first and second Georges enlisted the magistracy and the criminal sanction in the fight against "filching." 1 George I c. 25 (1711), "An Act to prevent disturbances by seamen and others, and to preserve the stores belonging to his Majesty's navy royal," gave the principle officers of the Navy Board summary powers to imprison and fine those guilty of "fightings, quarrellings, and disturbances" or those who "imbezilled or filched away" stores not exceeding twenty shillings in value. They were further authorized to issue search warrants "in like manner

¹ Radzinowicz, op. cit., p. 618, describes the offence as a species of petit treason. Blackstone, Commentaries, Bk. iv, Chap. 7, Section 4, as a felony "Injurious to the King's Prerogative."

as justices of peace may do in case of felony." 17 George II c. 40 (1744) gave justices at Quarter Sessions or judges at assizes powers to hear and determine these offenses. The Admiralty had in reserve then a considerable store of legal armaments, from the gallows to the whipping post, to fire against the dockyard workers. What is remarkable was its failure in the eighteenth century to use them.

"This country of liberty," Lord Sandwich said. When he took his seat on the Admiralty Board in 1749 one of his first acts of office was a visitation to all the Naval dockyards and ropewalks. With his brother Lords of the Admiralty they found in June that "gross negligence, irregularities, waste, and embezzlement were so palpable, that their Lordships ordered an advertisement to be set up in various parts of all the yards, offering encouragement and protection to such as should discover any misdeameanors."¹ Placards were stuck up. They had little effect and one may wonder if the same reasons obtained among workers who refused to turn informer as obtained among the Lords when they failed to heed their own in-

¹ John Barrow, The Life of George Lord Anson (London, 1839), pp. 214-216.

junction during the visitation of Chatham that year upon witnessing a shipwright leave off work with a plank of deal in his arms.¹

William Fleet, watchman at Chatham, on 30 March 1741 deposed before a magistrate of the Western Division of Kent that

as he was at his duty watching the dock gate of his Majesty's said yard at Chatham, he saw Daniel Dunevan going through the gate with a basket on his arm, upon which he stopt him and looking into the basket found twenty pound of sheet lead in five pieces. (2)

Dunevan was later whipped. Unusual in the deposition is not of course the fact but that it came to Quarter Sessions at all. Not until the Napoleonic Wars was the control of embezzlement removed from the various administrative and productive relations in the yard to the criminal sanction of the magistracy. Thus the same fact, the worker's appropriation of the materials of labour, was transformed from a perquisite to a crime, a transformation reflected in the type of historical records preserving our knowledge of it.

¹ Albion, loc. cit., p. 87.

² Elizabeth Melling (ed.), Kentish Sources, Vol. vi, Crime and Punishment: A Collection of Examples from original sources in the Kent Archives Office, from the sixteenth to the nineteenth centuries (Maidstone, 1969), p. 67-68.

Piece wages or task work, had it been successfully introduced in the eighteenth century dockyards, no doubt would have provided future historians the material with which to calculate accurately the income of yard workers. Under those circumstances the value of their labour power, controlled by the Navy Board through the wage, could be measured like that of other commodities timber, cordage and sailcloth in pounds, shillings and pence. The simplification of superintendence, the intensification of labour, the control over the materials of labour, and the reduction of income that would have followed in the wake of the operation of task work were achieved in Naval production during the general social, technological and legal offensive^{of the} period 1795-1815.

As this achievement was the result of the efforts, ideas, and diligence of one man, Samuel Bentham, who has been curiously neglected by historians, we may briefly outline the principle elements of his strategic plan. If Lord Nelson was the Henry Ford of the Royal Navy, then Samuel Bentham was its Frederick Winslow Taylor. A naval architect, a civil engineer, a "reformer of abuses," a military and ordnance engineer, an inventor, and a systematic

and practical thinker, his knowledge of the technical and social organization of the dockyards born during his apprenticeship at Woolwich in 1770, nurtured by the study of Russian shipbuilding yards, and matured at his elevation to Inspector-General of Naval Works in 1795 was unsurpassed. His starting point, like that of his predecessors, Yeoman Lott or Lord Sandwich, was the reformation of abuses. Unlike them he succeeded. He approached the question of chips, embezzlement, and corruption not as matters of discipline to be solved by a direct attack on the form of the yard workers' wage, but as the consequence of the "civil management" of the yards to be defeated by the accumulation of exact flanking attacks. His importance to the history of capitalist management can scarcely be overemphasized. Overhaul the relationships among materials, tools, and work, then challenge the power of the men and re-organize their wage, that was the lesson of his work and its achievement.¹

While his "New System of Management" applied to every aspect of the dockyards we will mention only those parts of it affecting accounting, materials handling, component

¹

The following is based upon Bentham's own work, Services Rendered in the Civil Department of the Navy in Investigating and Bringing to Official Notice Abuses and Imperfections (1813), and his widow's biography, M.S. Bentham, The Life of Brigadier-General Sir Samuel Bentham (1862). We hope at a future occasion to present a fuller study of this dramatic moment in the history of management.

parts, and mechanization. The theft of timber was prevented not by punishing thieves but by the closest attention to the regulation, inventory and accounting of materials. The lines of authority for stock control and production supervision were separated. Accounting procedures in all departments were standardized. At every stage of production accounting operations were integrated with job supervision. Management and accounting thus separated in responsibility and integrated in practise, the extent of corruption and embezzlement could at least be measured.¹

Bentham studied the handling of materials and reduced the amount of it by a new design of the plan of the yards, the systematic placing of departments, the new organization of work in some departments, and where necessary the application of new methods of work. Jetties, basins, locks, wet and shallow docks were built anew:

the extra expense and delay of fitting afloat will be saved; and the embezzlement which is known to take place at times when the Artificers of the Dock-yard are at work on board ships lying at moorings in the harbour will be prevented.... (2)

His invention of the "Floating Dam" reduced the ship's demurrage. At the same time it established in practise

¹ Accounting changes and technical changes supplemented one another. As an apprentice Bentham had invented a device, the "curvator," for the measurement of crooked timber. M.S. Bentham, op. cit.

² Samuel Bentham, op. cit., p.50.

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the principle of "all in, all out:" fittings remained on board, nothing was dismantled, and the swarms of men that formerly went on board to ready the ship for passage from its river moorings to the dry dock considerably reduced. He built covered docks for all-weather repairs. Twenty-four hour shift work was introduced. Periods of rest during the working day were reduced while the time for "what is called the Poor" to enter the work areas was abolished. Materials and job definitions in the Timber Seasoning House were changed in order to improve flow and separate seasoning from procurement.

The production of "waste" on the job and the possibility of "breakage" during work could not be attacked by adding a new set of on-the-job supervisors as this in effect would add another layer of men to be corruption^{ed.}~~ed.~~. Bentham's solution was a mark of genius. Among the humblest of ship-building parts he established what he called "THE PRINCIPLE OF INTER-CONVERTIBILITY."¹ The shaping and trimming of parts was abolished by standardizing their production. Redesigned, notched treenails replaced the older type that carpenters and shipwrights had to trim

¹ Samuel Bentham, op. cit., p. 110. The principle was put to practise also in respect to stores and furnishings of different rate vessels.

and fashion on the job. "Coqueing," a method of fastening knees to beams and the joining the component sections of masts abolished the waste that traditionally accompanied this part of joinery work. It also reduced the wages bill by twenty-five percent.

At every step Bentham understood that changes in part design, work operations, and tool simplification, though apparently technical improvements, were actually revolutionary alterations of "civil management" requiring in their introduction to the yards the skills not only of the engineer but also of the diplomat. The introduction of machinery put these skills to test. His widow wrote:

The logical turn of his mind led him to a conclusion that the artificial, but common classification of works according to trades or handicrafts, without regard to similarity or dissimilarity of operation, could not but be productive of a variety of inconveniences, even according to usual practice, and that it stood particularly in the way when the object was the contrivance of a good system of machinery. He therefore began by classing the several operations requisite in the shaping and working up of materials of whatever kind, wholly disregarding the customary artificial arrangement according to trades. (1)

Fiddling about in one of the outbuildings of his brother's property in Queen Square Place, Westminster, he designed

¹ M.S. Bentham, op. cit., p. 98.

machines for the operations that he had thus identified.¹

"Acting upon the general idea that I had been led to form, and which had been confirmed by experience that the prejudice entertained against the use of machinery was most likely to be removed by a gradual introduction of small Machinery rather than by any sudden innovation in the most important works of the dock-yards," he introduced them piecemeal in departments where the workers either welcomed them (a steam pump for example was first attempted to bring up fresh drinking water for the sawyers) or where their organization was weakest as in the newly created metal shops. Boring, punching, and guiding machines infiltrated the outer defenses; these footholds were then used as the basis for mounting a mechanical assault into the heart of yard work: the sawing and planing of wood.²

¹ It was Bentham's tinkering at Queen Square Place, not his brother's meditations upstairs, that produced the idea of the "panopticon," an architectural plan embodying the principle of centralized control, applied first to prisons and then to factories. M.S. Bentham, op. cit., pp. 98-100.

² "In the spring of this year (1799), the steam engine and the pumps worked by it were put to use with all the success which the Inspector-General had anticipated in planning them. On 7th of June Lord Hugh Seymour accompanied him to witness this novelty. To the surprise of all, the piston rod of the pump broke whilst at work. The millwright who had charge of the machinery found a broken copper nail in the packing of the pump ~~pro~~ piston, a score in the upper rim of which proved that the nail had passed on into the packing from above; the master blacksmith, a working blacksmith, and all others present, attributed the breaking of the rod to this nail. This was one of those malicious attempts made from time to time, to injure and bring into disrepute the Inspector-General's plans of every

The nature of shipbuilding in the Royal Dock Yards revolutionized, Samuel Bentham provided the foundation for the successful erosion of the workers' power and the attainment of his great object, the "reform of abuses." The training of new workers was removed from the 'backward' apprenticeship scheme controlled by the craftsmen to the newly introduced "seminary" controlled by the Navy Office. Piece work was finally introduced, based not upon "the customary artificial arrangement according to trades" but upon a new grading schedule established according to three criteria: "their degrees of ability, diligence, and good behaviour." Productivity and pay were finally linked in permanent identification.

We may sum up the findings of this chapter in four propositions. First, the level of wages cannot be measured without first studying the form of the wage and when this included, in addition to nominal wages, a customary cut in the product of labour the quantitative measurement of the wage may be impossible. Second, this form of the wage was made possible by the workers' partial control over the concrete detail of the labour process. Third, the attack upon "misappropriation" though either the increase in punishments or the augmentation of police was bound to fail. Fourth, only the reconstitution of the detail of the labour

process by a series of "technical r^evolutions" could link pay with productivity on the one hand, and, on the other, provide the material basis for the separation of the problems of crime and exploitation.

These themes could not appear in the quantitative analysis of the judicial records that comprised the work of Part One of this thesis. This should not be surprising when it is recognized that the "wage" and workers' appropriation are also products of history and not merely ideal concepts that may be applied to any stage in the development of capitalism. To deepen and extend our argument we thus need material that at the least can provide us with information about the occupational histories of eighteenth century criminals. This we are able to obtain from the writings of a neglected figure of the eighteenth century criminal justice system, I mean the Ordinary of Newgate and his Account. It is to an examination of that office that we must now turn.

PART THREE:

THE HANGED: SOURCES AND ANALYSIS

"... legal norms and institutions, in the face of those great economic changes which led up to and sustained the industrial revolution, had been modified or transformed to encourage economic growth, to suit the needs of a growing economy."

R.M. Hartwell,
The Industrial Revolution and Economic Growth (1971).

Chapter Five:

INTRODUCTION

"This time I expect no reprieve
The sheriff's come down with his warrant.
An account now behind us we leave
Of our friends, education and parents.
Our bolts are knocked off in the Whit,
Our friends to die penitent pray us
The Nubbing cull pops from the pit
And into the tumbril conveys us.

Through the streets as our wheels slowly move
The toll of the death bell dismays us,
With nosegays and gloves we are decked,
So trim and so gay they array us,
The passage all crowded we see,
With maidens that move us with pity;
Our air all admiring agree
Such lads are not left in the City.

Oh! then to the tree I must go,
The Judge he has ordered that sentence
And then comes a gownsman you know,
And tells a dull tale of repentance,
By the gullet we're ty'd very tight,
We by all spectators pray for us,
Our peepers are hid from the light,
The tumbril shoves off, and we morrice."

Francis Place,
Brit. Mus.Add. MSS., 27825. 155.

The Ordinary of Newgate was the prison chaplain. Appointed and admitted to office by the Court of Aldermen, he held office during good behavior. He was always a clergyman of the Established Church, and he did not have to be a Freeman of the City.¹ His duties in general were to "read prayers, Preach and instruct ye Prisoners." John Howard specified them in more detail: monthly he gave the sacrament, twice on Sundays he preached to the prisoners, and daily he led the condemned prisoners in prayer.² His income, in both its forms and amounts, changed during the century and they will be described in the following pages. Here we may mention that Howard estimated the total annual income at £180 a year, an indifferent income in comparison to other London livings.³ One source of his income (unfortunately indeterminate) was provided by the sale of The Ordinary of Newgate, His Account of the Behaviour, Confession, and Dying Words, of the Malefactors who were Executed at Tyburn (which we abbreviate, "The Ordinary's Account," followed by the date of the execution). This periodically issued

¹ House of Commons. Second Report: Municipal Corporations (1837), London and Southwark, contains the most concise official description of the office.

² The State of the Prisons, Everyman edition, (1929), p. 160.

³ St. Bartholomew, Royal Exchange, was worth £400; Christ Church, Newgate, £200; St. Andrew's, Holborn, £400; St. Dunstan, Stepney, £500; St. Martin's-in-the-Fields was worth £600. See Company of Parish Clerks, New Remarks of London (1733).

pamphlet is exceptionally valuable because it presents for a small proportion of eighteenth century criminals a great deal of information which cannot be obtained from judicial records.

In practise the most important duty of the Ordinary was attendance upon the prisoners condemned to die: special arrangements he made to give them the sacrament; he rode with them across London to their hanging at Tyburn where he led the malefactors and the crowd in the singing of hymns; and he delivered to them the extraordinary "Condemned Sermon." On the Sunday before an execution he held what a nineteenth century observer called "a grand ceremony." The chapel, "plain and neat" Howard called it, contained three pews, the center one being reserved for condemned prisoners. At the head was the chaplain's seat and table. The whole was surrounded by galleries which were filled during the Condemned Sermon. The "ceremony" began thus:

The Sheriffs shudder, their inquisitive friends crane forward; the keeper frowns on the excited congregation; the lately smirking footmen close their eyes and forget their liveries; the Ordinary clasps his hands; the turnkeys cry "hush;" and the old clerk lifts up his cracked voice, saying, "Let us sing to the praise and glory of God." (1)

¹ Edward Gibbon Wakefield, Facts Relating to the Punishment of Death in the Metropolis, second edition (1832), p. 164. The author survived three years in Newgate 1826-1829.

Three rituals guided the passage out of this world of the eighteenth century condemned malefactor: first ~~of~~ the judge's sentence of death, second the Condemned Sermon, and third the hanging itself. Between the justice and the hangman, one of the most coveted of positions and one of the most loathed, stood the Ordinary of Newgate whose uneviable task was to justify the decisions of the former and to lend Christian sanction to the dark work of the latter.

"It is no idle station to be posted on the gloomy avenue of death," wrote Stephen Roe, Ordinary of Newgate from 1755 to 1764.¹ Newgate was at death's cross roads: all came to it driven by the law, but death carried them off on two different roots. One file of men and women were sentenced to death as "Examples" and "launched into eternity" as the phrase went; another, far greater concourse of people died in prison as a result of distemper, fever, and sickness. In 1726 sixty-five men and eighteen women, eighty-three altogether, died in Newgate gaol.² In that year twenty-one were hanged by sentence of the court at Old Bailey.³ In the

¹ The Ordinary's Account, 5 October 1757, and below, pp.

² These figures and all others in this introduction including those presented in the Table and the graph have been compiled by tabulating the lists of burials found in Willoughby A. Littledale (ed.), The Registers of Christ Church, Newgate, 1538-1754. (1895). Publications of the Harleian Society. Vol. xxi.

³ The number hanged in 1726 and 1727 has been ascertained by adding up those described in the corresponding Accounts of the Ordinary.

next year fifty-seven died in gaol and fifteen were hanged at Tyburn. Two years later in 1729 ninety-two people died in prison.

There was a rhythm of death in Newgate. The laws governing that rhythm were not those of the quarterly meetings of the Sessions, nor those passed in Parliament conferring the punishment of death on an ever increasing number of offenses. Year in, year out men and women died in prison without a day in court. Though incarcerated and isolated from the outside life of London, the death rates of Newgate prisoners followed a pattern identical to the rhythms of death on the outside, though the magnitudes were smaller and the rates of changes more violent. Death rode mercifully among the free parishioners of Christ Church, Newgate, in comparison to the great leaps and sharp drops that he took among the prisoners.

The common mortality pattern reveals itself through the seasons and through the years. In November death took on an average thirteen lives from Christ Church, in December fifteen. The number increased inexorably through the rest of the winter months as the accumulated weaknesses caused by the wet and cold took their toll. Relief began in March

and continued until June when the number buried in the parish graves fell to eleven. Deaths from Newgate fell according to this seasonal pattern too. In absolute number they were fewer than their more fortunate brothers and sisters outside the prison, but the oscillations were more serious, and the proportion of corpses from the prison to those of the parish, varying by the season, was striking and bitter.

TABLE III

AVERAGE SEASONAL BURIALS IN CHRIST CHURCH, NEWGATE:
PARISHIONERS AND PRISONERS COMPARED, 1698 - 1753.

Month	Parish	Prison	Percentage of Prisoners to Parish- ioners
January	16.6	4.1	24.5
February	15.2	3.7	25.7
March	15.6	3.4	22.0
April	13.5	2.6	19.2
May	12.8	2.5	19.8
June	11.0	1.8	16.6
July	12.0	1.7	14.0
August	12.0	1.7	14.0
September	12.6	2.1	16.4
October	12.7	2.4	18.7
November	12.8	2.5	19.8
December	14.8	3.6	24.0

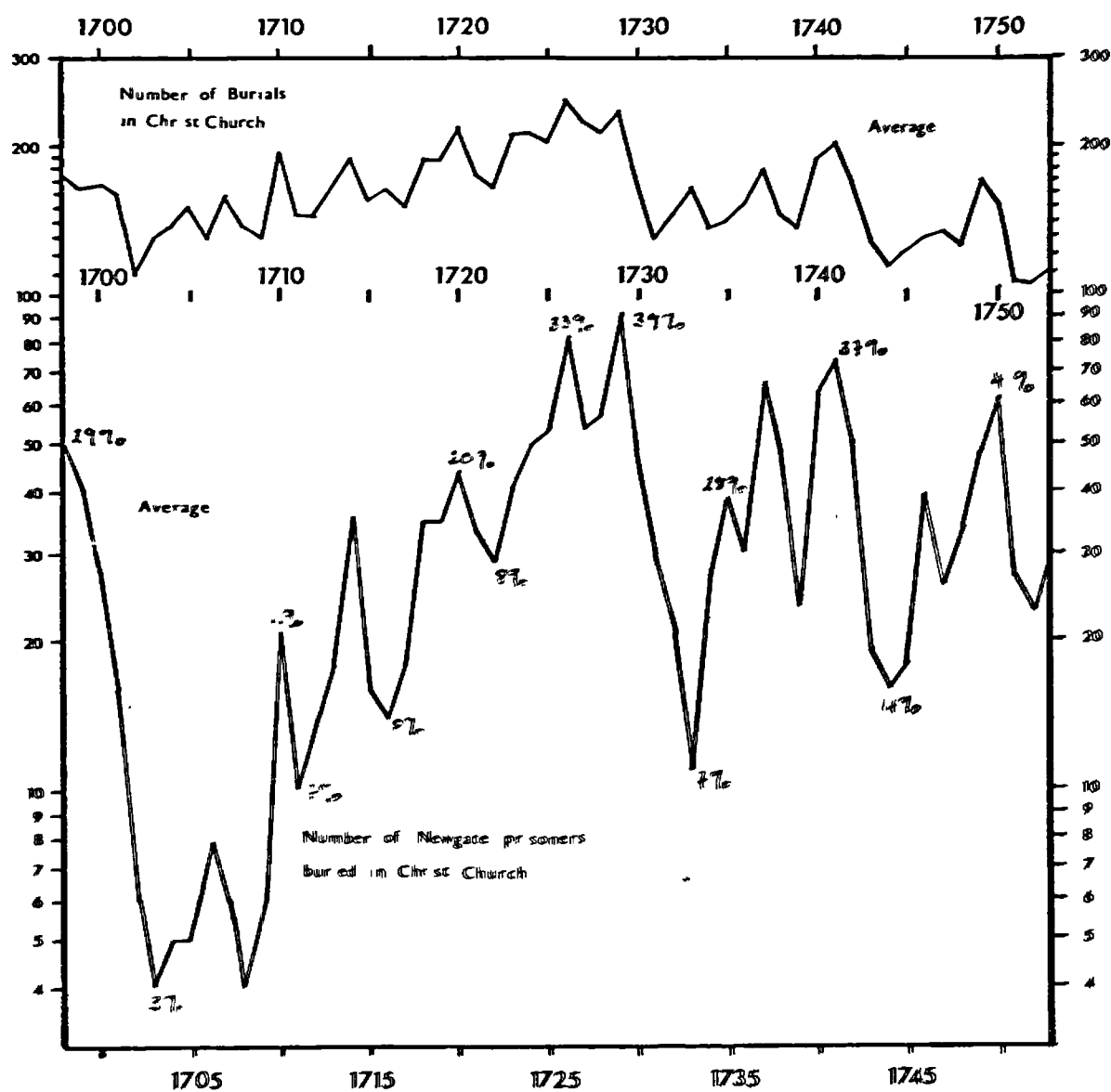
Whatever laws of harvest, climate, wages and prices these mortality rhythms followed, it is sure that death was more sensitive, more obedient to them among those in the darkness of the prison than those who enjoyed the light of free parish life. In winter about a quarter of burials were those who died in prison; in the summer the proportion was only a seventh or so. These are averages. In reality the situation could become far more serious: in January 1739/40 a half of the parish burials came from the dungeons. For four months in the winter of 1728-1729 the proportion was even higher.¹

Turning from seasonal rhythms to those of the half century, we again find death's partiality to the prison. A graph compares the deaths in Newgate prison to those of the neighbouring parish, Christ Church, Newgate, between 1698 and 1753. The story is similar. When the number of deaths in the prison is high, so it is in the parish. When low in prison, so in the parish. The pattern is similar but it is drawn more dramatically, almost violently in the prison. As an average over the years, 1696 - 1753, the prison supplied about one

¹ January 1739/40 twenty-eight were buried, thirteen from Newgate. December 1728: 20 buried, eleven from Newgate. January 1729: 28 buried, 15 from the prison. February 1729: thirty buried, 17 from Newgate. March 1729: 29 buried, 14 from Newgate. J.M. Beattie, "The Pattern of Crime in England 1660-1800," Past & Present, 62 (February 1974), p. 88, suggests that the outbreak of gaol fever in the Surrey County Gaol in 1740 and 1741 carried off so many prisoners that it effected a decline in the number of indictments presented in Surrey during those years.

GRAPH XXIII

Total Burials and Newgate Burials Compared in Christ Church, Newgate, 1698-1753.



fifth of the burials in the parish. In times of dearth, hardship or frost the absolute number of burials from each source ascended, though the proportion of deaths from the prison to that of the parish as a whole rose and fell at a more startling rate. In exceptionally good years prisoners supplied about three percent of Christ Church's burials. In bad years, 1698, 1725, 1729, 1740, 1741 and 1749 as much as a third were buried from the prison. In 1750 sixty-two men and women died in prison, more than two-fifths of the total number buried that year in the parish.

Those killed as a result of the court's commandments, judicial deaths, were fewer than those dying of "natural causes" in prison. The idea of "natural cause" is misleading insofar as the Newgate rhythm of death was only an exaggerated image of the mortality pattern of the parish: both were determined in part by the deeper social rhythms of climate, harvest, and prices or by the ravages of epidemic. The number of men and women who "went West" up Holborn Hill to Tyburn was only a rivulet compared to the streams who left Newgate quietly and unnoticed to flood the parish burial grounds around the corner. Thus the powers of life and death of the judges are humbled in comparison to the devastations of disease.

Their powers were terrible still, and to justify them and to mollify their affects, the Ordinary of Newgate, posted on this gloomy avenue, went about his business of the salvation of souls. Within the Church of England the office was only a commonplace living and the men who filled it in the eighteenth century were undistinguished by the standards of the Church which received few applicants for a post that was the envy of none and the object of ridicule of many. Over the century the Ordinaries passed from being objects of fun to objects of serious moral attack, receiving throughout more contemporary notice than as men they perhaps deserved. The historian is grateful to them nevertheless. We must study the men who filled this position not only in order to understand the authors of a pamphlet whose truth we seek to verify but also, if we may say so, to rescue from ecclesiastical oblivion men whose work deserves a place in the sources of eighteenth century English social history.

The Victorian novelist, Charles Reade, depicts a prison chaplain in his novel, It's Never Too Late to Mend (1856). In part an avenging angel, in part a sentimental saint, and in part a Reformer, this chaplain effected important changes in the cruelties of governing a prison, as well as providing the author with a character through whom he could attack the entire prison system. The men

who filled the office of Ordinary of Newgate in the eighteenth century were not able and probably did not desire to do anything like this. Nor do their Accounts provide material which would enable others to launch attacks upon prison administration. One was a disappointed poet, one was a Latin school teacher, another too fond of drink, one probably senile, none distinguished, most corrupt by the standards of Charles Reade, and one, John Allen, by the standards of the Court of Aldermen. For all their mediocrity, humbug, sham and false posturing they worked in daily contact with Newgate prisoners: sharing little except some hours in conversation and common risks of distemper, but inevitably gaining some knowledge and (we may speculate) some humanity and generosity which the conditions of their own society did not permit them to express in a more fruitful way.

The plan of the present section is this. First, we discuss the eleven different Ordinaries of Newgate who served between 1700 and 1799. Some are discussed in more detail than others because we know more about some and because some like Paul Lorraine, Thomas Purney and James Guthrie are more important to our work. Second, we discuss the Ordinary's Account, such aⁿ important source of information

to our work and we adduce reasons for taking it as an authentic document of historical information. Third, we have prepared a location list of the Accounts that we have been able to find in major libraries in England and the United States. This will be found in the appropriate part of the bibliography.

Chapter Six:

THE ORDINARIES OF NEWGATE

"Oh, the parson he did come, he did come;
Yes, the parson he did come, he did come,
And he looked so bloody glum as he talked of Kingdom Come
He can kiss my ruddy bum, God damn his eyes."

Anon.,
"The Ballad of Sam Hall."

"You are going to leave us, Mr. Eden, and going to live
in a jail! O Mr. Eden, I can't bear to think of it. You
to be cooped up there among thieves and rogues, and per-
haps murderers."

'They have the more need of me.'

'And you, who love the air of heaven so; why, sir, I
see you take off your very hat at times to enjoy it as
you are walking along; you would be choked in a prison.
Besides, sir, it is only little parsons that go there.'

'What are little parsons?'

'Those that are not clever enough or good enough to be
bishops and vicars, and so forth....'"

Charles Reade,
It's Never Too Late to Mend (1856).

A. John Allen and Roger Wykes

John Allen was Ordinary of Newgate at the beginning of the century. He had served a year and a half before he was dismissed by the Court of Aldermen.¹ Prisoners had for some time petitioned the Court for his removal, and in May 1700 their complaints got a fair hearing: Allen's extortions had clearly exceeded the limit.² The Lord Mayor asked the Court to discharge Allen for his "undue practises." He was charged with "extorting Sumes of money from Sevrall Convicts in ye Same Prison under pretence of procuring them Reprieves or Pardons or else for his pretended Solicitation in getting Prisoners Committed for Crimes to be bayled out as also for his frequent prevarcacons in ye printing and Publishing the pretended Confessions of the respective Criminalls that are executed at Tybourne Contrary to the Duty of his place and function..."³

Of these three charges we can learn only about the first in detail. On 30 May 1700 the City Solicitor prepared a brief for an indictment of libel against the publisher of

¹ Horace Bleackley, The Hangmen of England (London, 1929), pp. 260-262, provides a list of the eighteenth century Ordinaries with the dates of their terms of office. In the instance of Allen these are inaccurate.

² Theophilus Lucas, Authentick Memoirs Relating to the Lives and Adventures of the Most Eminent Gamesters and Sharpers, second edition (1744), p. 133.

³ Lond. Corp. R.O., Court of Aldermen, Repertories, vol. 104, p. 340 (28 May 1700).

a pamphlet defending Allen. The brief accused Allen of the specific offense of accepting money from a condemned criminal, John Davis, who wished that his name not appear in the Ordinary's Account because this would, Davis feared, embarrass his family. At the same time Allen was accused of taking 20s. from the wife of John Davis in order to purchase a mourning ring.¹ As a result of these charges Allen was dismissed, though disputes between him and the Court of Aldermen about arrears in his salary remained unsettled for another five years, a problem that would apply between the Ordinary and the Court for most of the first half of the eighteenth century.² Allen was replaced in June by one Roger Wykes "to read prayers, Preach to and instruct ye Prisoners."³ Wykes lasted only a few months and was replaced by Paul Lorraine whose tenure in office established most of the attributes which will characterize the office for the century.

¹ Lond. Corp. R.O. Small Suits Box 4, No. 18 (30 May 1700), "A Brief for an Indictment for a Libell."

² Lond. Corp. R.O., Misc. MSS. 162.3. Chamber Vouchers (19 February 1705/6).

³ Lond. Corp. R.O. Court of Aldermen. Repertories, Vol. 104, p. 384 (20 June 1700).

B. Paul Lorraine

Paul Lorraine became Ordinary of Newgate in 1700. From the first years of his office we know that he actively attempted to supplement the usual income of his office (the interest on a seventeenth century bequest for preaching the condemned sermon and "the benefit of making one Person free of this City by Redemption") by engaging in publishing ventures.¹ Thus in 1702 he published The Dying Man's Assistant dedicating it to the Lord Mayor, Sir Thomas Abney. At the same time he published and translated Muret's Rites of Funeral Ancient and Modern in Use Through the known World. He published his Newgate sermons when possible.² But this activity also involved him in controversy. In October 1703 his sermon for the condemned criminals brought a charge against him from Daniel Defoe:

Pulpit-Praises may be had
According as the Man of God is paid.

Some days later Lorraine attempted to answer this attack in a scathing pamphlet, Remarks on the Author of the Hymn to

¹ LCRO., Reps. Vol. 106.

² A Paul Lorraine, Popery near a-kin to Paganism and Atheism (1712).

the Pillory: With an Answer to the Hymn to the Funeral Sermon.¹ Lorraine's religious activities were the subject of attack and continued to be so until the end of his period in office; in 1715, for example, a non-juror condemned to hang, kicked the Ordinary out of the tumbril beneath the tree.² The most important publishing activity that Lorraine engaged in and that which probably provided the most lucrative addition to the revenues of his office was the periodic pamphlet entitled The Ordinary of Newgate, His Account of the Behaviour, Confession, and Dying Words of the Malefactors who were Executed at Tyburn. With the single exception of the printed Proceedings of the Old Bailey trials, the Ordinary's Account is the richest printed source of information of eighteenth century London crime.

Thirty-nine of Lorraine's Accounts dating between 21 July 1703 to 21 September 1716 survive in major libraries.³ Until September 1712 they were published as folio broadsheets; after that time they contained six folio-size pages. They sold for three half-pence or two pence each. Unlike subsequent

¹ Defoe's attack is contained in A Hymn to the Funeral Sermon (1703). The episode is discussed in J.R. Moore, Daniel Defoe: Citizen of the Modern World (Chicago, 1958), p. 236.

² Edward Cadogan, The Roots of Evil (1937), p. 132.

³ See below, pp. 831.

Ordinaries, who published their Accounts with one or at the most two printers, Lorraine it appears had difficulty finding a regular printer and before he was finished as Ordinary had employed at least six of them. While the Accounts became longer in the course of the century and their form more complex they always retained a basic pattern that we find in the first that Lorraine published. The first part described the basic facts of the court that sentenced the malefactors; its dates of sitting, the magistrates present, the members of the jury, a summary of its proceedings (the number condemned, the names of those reprieved, and the like). The second part and often the longest (at least when material for the third part was wanting) cited the Biblical texts from which Lorraine preached to the condemned and provided a synopsis of his sermons to them. The third and most valuable part of the Account contained a description of the life and crimes of each malefactor condemned to hang. These tended to follow something of a formula: beginning with the place of birth, age of the condemned, education, apprenticeship history, and work experience, they then proceeded to describe the crimes and cohorts of the subjects interspersed with little homilectic commonplaces ("whoremongering," "drink", "Sabbath-breaking," etc.) that the

Ordinary provided. The fourth and final part of the Account described the behavior of the condemned "at the Place of Execution." Later in the century this basic pattern was supplemented with other material: a new Ordinary usually began publication with an introduction, the descriptions of the condemned was often augmented by a longer and particular account of their life and crimes, occasionally the Ordinary chose to write a short disquisition upon some related subject, the Irish or night-houses, for examples. Even when not supplemented by the additional parts, the basic four sections became more sophisticated, with cross-references to previous Accounts and with references to the Old Bailey Proceedings.

Between June 1704 and May 1704 Paul Lorraine published something of an apology in each of the four Accounts that appeared during that time. We quote it in full because it raises the most important question about the Account:

Whereas some Persons take the Liberty of putting out Sham-Papers, pretending to give an Account of the Malefactors that are Executed in which Papers they are so defective & unjust, as sometimes to mistake even their Names and Crimes, and often quite misrepresent the State they plainly appear to be in under their Condemnation, and at the time of their Death: To prevent which great Abuses, These are to give Notice, that the only true Account of the Dying Criminals, is that which

comes out the next Day after their Execution, about 8 in the Morning, the Title whereof constantly begins with these Words, The ORDINARY of NEWGATE his Account of the Behaviour, &c. In which Paper (the better to distinguish it from Counterfeits) are set down the Heads of the several Sermons preach'd before the Condemned; and after their Confessions and Prayers, an Attestation thereto under the Ordinary's Hand, that is, his Name at length; and at the bottom the Printer's Name. (1)

From the beginning of the century the Account was subject to imitation and attack. In 1717 an anonymous observer accused Lorraine of extracting confessions from the condemned "for the Lucre that is obtain'd for so doing."² The same observer recounts an anecdote between Lorraine and a young pick pocket about to be hanged. The Ordinary expects to hear the lad explain his sinful life in terms of Sabbath-breaking, "lewd women" or drink. The boy insists he was guilty of none of these, particularly not of the first because being a pick pocket he could never afford to miss a Sunday. "Sirrah," exclaims Lorraine, "you must be one of these three, that you must; therefore recollect your self, set all your Faculties of Remembrance at work, or I shall be at a Loss to say any Thing of you in my Paper. Such Case harden'd Rogues as you would Ruin the Sale of my Paper."³ A year

¹ The Ordinary's Account, 21 June 1704, 22 Sept. 1704, 25 Oct. 1704, 7 Feb. 1704/05, 4 May 1705.

² Anon., The History of the Press-Yard (1717), pp. 50-52.

³ Ibid.

later "Philalethes" renewed the attack on Lorraine's practise of extracting confessions from the condemned for the purpose of supplying copy for his "Penny Scribble." The Account is "the very Index Expurgatorious of the whole Art and Mistery of extorting Confessions." The practise violates, "Philalethes" wrote, "the usage of the Primitive Church" which appropriately expected silence from those about to die.¹

While neither of these attacks nor those which apparently prompted Lorraine's published defense in 1704 questioned the factual content of the Account, instead they criticized the explanations that Lorraine offered or the appropriateness of the whole enterprise, we can on the basis of evidence internal to the Account achieve a more complex understanding of the purposes of the confessions and hence of their accuracy.

Several malefactors refused to confess. Thomas Sharp, for instance, "would not be perswaded to confess the Fact for which he was condemned to die."² Others were willing enough to admit their guilt as indicted, but deny allegations of other crimes; while some denied the crime they were

¹ "Philalethes," A Non Juror, An Answer to a Narrative or the Ordinary of Newgate's Account. (1718).

² The Ordinary's Account, 22 Sept. 1704.

sentenced for while admitting to having committed lesser crimes.¹ It was clear to the condemned malefactors that there were two purposes to these confessions, besides that of producing material for the 'Penny Scribble'; one was to demonstrate their penitence and the other was to assist the court in further prosecution.

James Hacket, a ships carpenter hanged for a burglary, received a letter from the Reverend Woodward of Poplar in the days before he was to suffer. "I shall only add one thing more, which is," wrote the divine, "that it is necessary to true Repentance That you discover your Partners in your Sins..."² Hacket nevertheless refused. Charles Moor, hanged for stealing Sir John Buckworth's books, said that had he known when he was tried "that he should have Dyed, he would have had one or two [others] with him for Fancy, for then he would have made some Discovery of Persons concern'd with him, but now he was resolv'd to make none," and at the tree he still remained firm in his resolve: "What good would it do me to hang three or four Men and ruin their Families as mine?"³ William Elby, alias "Dun," "would

¹ Ibid., 16 Dec. 1709.

² The Ordinary's Account, 6 June 1707.

³ Ibid., 13 Sept. 1707.

not come to Particulars; and that in general he was willing to confess that he had been very wicked, and that he had committed all Manner of Sins whatsoever, and that he would confess them to God alone, and ask His Pardon for them."

He planned "to die in Charity with the World; which he could not do, if he brought any into Trouble."¹ Agatha Ashbrook,

condemned for the murder of her bastard child "would not give any particular Account of her Life." "What Confession she had to make, she would make it to God alone."² John

Crafts, alias "Rutt," a Holborn butcher, hoped that he could purchase a reprieve by discovering his accomplices, but when he learned otherwise he changed his mind: "there were some Persons concern'd therein [his crimes] whom he was desirous to spare."³ Richard Hughes, on the other hand thought that

his chances for a reprieve would be increased by not confessing, and it was only at the gallows tree that he decided to make a full confession of his crimes.⁴ Thomas Ellis was willing to confess to his indictment and to other crimes but refused to accept Lorraine's characterization of his life, that it had been for seven years a life of fornication and uncleanness.⁵

¹ Ibid., 12 Sept. 1707.

² Ibid., 27 Oct. 1708.

³ The Ordinary's Account, 24 Sept. 1708.

⁴ Ibid., 24 June 1709.

⁵ Ibid., 3 March 1707/08.

The material supplied in Lorraine's Account itself, then, provides several instances of the refusal of malefactors to confess and it offers the reasons for that refusal. These were first, innocence, second, the desire to protect former friends, and third, the view that only God should hear the confessions. In any case none of these cases suggest that the information in the Account as to the malefactor's place of birth, age, work experience, education, or apprenticeship were either fabricated by the Ordinary or the malefactor. Attacks were made upon the Ordinary not only for the practise of extracting confessions, but also upon the reliability of the confessions.

In 1715 Nathaniel Parkhurst supplied a manuscript to a printer (which sceptical readers were invited to examine) which attacked the factual information supplied in the Account. It was said that the Account was mistaken as to the date of the crime, the names of several of the other people involved, and the sequence of incidents leading to it. The pamphlet then proceeded to criticize the Ordinary's "ungenerous Dealing with Last Dying Speeches;" it is "a Wicked, Barbarous, and Dishonourable Thing to Slander and Belye the Dead" for "after a Man has Satisfy'd the Law, it

is little better than Murdering the Afflicted with an insulting Inhumanity."¹ And in 1718 a similar complaint was made against the veracity of the Accounts. "It is very hard to do Justice to the Dead, and to know when the Paper delivered to the Sheriff may be said to be their own, and when not," wrote the editor of A Collection of Dying Speeches. "By the Iniquity of Custom, it has come to pass, that many of those Papers call'd The Dying Speeches &c., are not Genuine."²

Paul Lorraine was sensitive to these attacks. In October 1708 an "unknown Friend" wrote him to ask if pamphlets published under his name entitled The Whole Life and Conversation of ... &c. were genuine. He replied "that all ... Papers thar [sic] pretend to give such Accounts, and are published under my Name, are surreptitious and false, and a great Cheat and Imposition upon the World."³ Several such individual 'lives' survive from the period of Lorraine's tenure in office, but despite the disclaimer to the contrary one cannot be certain he had no hand in them. One must assume that they, like the Account, were an important addition

¹ Anon., The Case or Declaration of Nathaniel Parkhurst, Gentleman (1715), pp. 5-7.

² Anon., A Collection of Dying Speeches (1718), pp. 4-5.

³ The Ordinary's Account, 27 October 1708.

to his revenues. The Secret Transactions during the Hundred Days of Mr. William Gregg Lay in Newgate under Sentence of Death carry Paul Lorraine's name as the author and in no respect does it contradict the account that Lorraine published at the time of Gregg's execution.¹ The Whole Life and Conversation, Birth, Parentage, and Education of John Sutton carried Lorraine's name as author with the additional assurance on the title page, "Licensed according to Order."² A Narrative; Or, the Ordinary's of Newgate's Account of what Passed between Him and James Sheppard, also imprinted with Lorraine's name as author.³ The Memoirs of the right Villianous John Hall, the late famous and Notorious Robber, on the other hand, contained Lorraine's name as author but differs substantially to the Account of December 1707 in which John Hall was quoted as saying that "he would not come to any Particulars saying he forgot them in great measure."⁴ Yet his Memoirs, advertized in subsequent Accounts and having reached a third edition in two years, purported to narrate his life, robberies, as well as offering a description of the technique of robbery, a glossary of cant expressions,

¹ The Ordinary's Account, 28 April 1708, and The Secret Transactions... (1711).

² 1711.

³ March 1717/18.

and full descriptions of Ludgate and the Compters.¹ The problem of the relationship between the Accounts and the 'Lives' of individual malefactors was rarely clear at the time and will remain a problem of eighteenth century ephemeral pamphlet literature that bedevils bibliographers.

Lorraine, while perhaps the first, was certainly not the last Ordinary of Newgate to suffer imitation, parody, and attack. It is no doubt the notoriety he achieved as a laughing stock to Pope, Swift, Addison, and Steele rather than anything that distinguished his performance in office as Ordinary, that gained him alone of all eighteenth century Ordinaries an entry in the Dictionary of National Biography.² It was said that when he died in 1719 he left his widow an estate worth five thousand pounds.³ His service as Ordinary had been quite profitable though towards the end of his period in office it had become increasingly difficult for him to obtain his salary from the Court of Aldermen.⁴

¹ The Ordinary's Account, 17 Dec. 1707. The Memoirs were advertized in the Accounts of 28 April 1708 and 23 March 1708/9.

² The Spectator, no. 338 (28 March 1712). Alexander Pope, Works, (1871-89), Vol. 7, p. 67. The D.N.B. entry is inaccurate on several points including the date on which Lorraine was appointed Ordinary.

³ Patrick Pringle, Stand or Deliver: The Story of the Highwaymen (1951), p. 171. His widow petitioned the court for Lorraine's salary, see Repertories, Vol. 124, fols. 4-5 (10 November 1719). Mist's Weekly Journal, 10 October 1719.

⁴ ^{Lund. Corp.} See ~~L~~E.R.O., Misc. MSS. 162.3. Also Repertories, 1716 & 1717

C. Thomas Purney

Following the death of Paul Lorraine the Court of Aldermen considered two candidates for the office of Ordinary: Randolph Ford, Curate of St. Mary le Bone, and Thomas Purney, a London chaplain. Purney carried recommendations from the Bishop of Peterborough and Justice Eyre and it was perhaps these that caused the Court to appoint him Ordinary, an office that he would hold amidst illness and difficulties for eight years until 1727.¹ Twenty-four Accounts of the condemned malefactors survive from Purney's period in office, the first of January 1719/20 and the last of April 1725.² Their size, typographical format, and pattern of contents continued unchanged from those established by Lorraine, although Purney kept one publisher throughout his tenure as Ordinary, John Applebee, who, in addition to the Accounts, published a newspaper, countless 'Lives' of criminals, one of the most important editions of Select Trials, several of Daniel Defoe's shorter works, and official notices for the courts at Hick's Hall and the Old Bailey.

In his youth Purney published two volumes of pastoral poetry and an "Heroi-comical Poem." It is as "a forgotten

¹ *Land. Corp.*

~~1~~ E.R.O., Repertories of the Court of Aldermen, vol. 124. pp. 4-5 (10 November 1719).

² see below, pp. 231.

poet" that he has been remembered by subsequent historians.¹
 Born in Kent in 1695, he was taught at the Merchant Taylor's School and went up to Cambridge in 1711. In 1718 he took Holy Orders and in the year following he was appointed Ordinary at the salary of £35 a year with the occasional perquisite of a Freedom to the City. He "took the duties of his office seriously," his biographer informs us, "and carried them out conscientiously in the face of difficulties" despite the fact that he was more often absent from Newgate than other eighteenth century Ordinaries.² Several times he went into the country to recover his health and James Wagstaff or James Guthrie (who was later to replace him as Ordinary) stood second for him in the prison.

To save souls in Newgate, particularly in the filthy, insalubrious conditions of the 'common side' and the condemned cells, required a continual risk to health. The period of the late 1720s represented a peak not only in the number who died in prison but also the proportion of those deaths to those of the outside parish.³ Pediculus humanus,

¹ H.O. White, "Thomas Purney, A Forgotten Poet and Critic of the Eighteenth Century," Essays and Studies of the English Association, Vol. xv (1929), pp. 67-97.

² Ibid. Also the Ordinary's Account, 28 August 1724 and 1 February 1724/25 where Purney's "fit of sickness" is noted.

³ See above, page 174.

the body louse that carries typhus, thrived upon hosts who sometimes were stripped naked ("letting the black dog walk" was the expression for this practise in the Fleet prison) with neither bed clothing, running water, nor toilet facilities. Epidemic typhus or "gaol fever" with its symptoms of fever, headache and back and chest rashes was common to eighteenth century prisons.¹ In April 1725 it was reported that owing to a lack of fresh air in the condemned cells, the prisoners suffered from the "gaol distemper" which so weakened them that they were unable even to go to chapel. This was at a time when Purney too was suffering from a "fit of sickness" and had taken to the country. None of the

¹ In 1729 the House of Commons appointed a Select Committee on the State of the Gaols of this Kingdom. Led by Oglethorpe this famous Committee's report is the best source of knowledge before Howard's investigations on eighteenth century prison conditions, see The Parliamentary History of England, Vol. viii, 1722-1733, (1811), pp. 734-735 in particular: "The crowding of prisoners together ... is one great occasion of the gaol distemper; and though the unhappy men should escape infection, or overcome it, yet, if they have not relief from their friends, famine destroys them.... When the miserable wretch hath worn out the charity of his friends, and consumed the money, which he hath raised upon his clothes, and bedding and hath cast his last allowance of provisions, he usually in a few days grows weak, for want of food, with the symptoms of a hectic fever; and, when he is no longer able to stand, if he can raise three pence to pay the fee of the common nurse of the prison, he obtains the liberty of being carried into the sick ward, and lingers on for about a month or two ... and then dies."

Ordinaries died of typhus, though they each took their precautions: Purney with his trips to the country and others with such devices as carrying garlands of camphor as they visited the condemned.¹ The judges too took their precautions strewing the dock with sweet smelling herbs together with strong vinegar. Indeed the faintly pastoral custom, still pertaining at the Old Bailey, of learned judges carrying nosegays of flowers with them to the Bench has its origin in the eighteenth century belief that these cleansed the air of the contagious stench brought in by criminals.² In 1750 at the "Black Sessions" four of six judges including the Lord Mayor and an alderman died as a result of typhus contracted in court. Two or three of counsel, an under-sheriff and several jurors also died: facts often repeated by historians emphasizing the unsanitary conditions of court and the risks of practising law. None tell us that sixty-two prisoners died that year too, the highest number dying from Newgate in the first half of the century.³

¹ William Andrews, The Doctor in History, Literature and Folklore (1896).

² Bernard O'Donnel, The Old Bailey and Its Trials (New York, 1951), p. 108-109.

³ William Holdsworth, A History of English Law, Vol. xi (1938), pp. 567-8; Basil Williams, The Whig Supremacy, 1714-1760, second edition (1962), p. 135; Patrick Pringle, Hue and Cry: The Story of Henry and John Fielding and their

Footnote #3 (continued)

Bow Street Runners (n.d.), p. 44; Walter Besant, London in the Eighteenth Century (1903), p. 534; all contain descriptions of the "Black Sessions." G.T. Crook (ed.), The Complete Newgate Calendar, Vol. iii (1926), Appendix, "The Jail Fever," pp. 331-333, describes a similar sessions held at the Lent Assize, 1730, for the Western Circuit. Several hundred persons including Lord Chief Baron, and the High Sheriff of Somersetshire died. When Radzinowicz, i, p. 167, refers to "the shocking immoralities of [prison] conditions," he refers not to the ravages of the typhus, but to the great size of breakfasts had by the condemned.

An observer in 1741 wrote one of the few descriptions we have of conditions in the Newgate chapel:

I was lately induced by a Friend to go and see the condemn'd felons at Chapel: I was averse to his Proposal, as I knew the Sight of so many unhappy Wretches wou'd fill my mind with too many melancholy Reflections. It is impossible to describe the Shock I felt when I view'd the Number of miserable Creatures, most of them labouring under all the Tortures of Hunger, Nakedness and Chains; but I was still more mov'd to observe the greatest Part of them were so harden'd by habitual Vice, that they shew'd little Concern at their approaching Death, or the Grief their Families pour'd out at their Fatal Destiny. (1)

Purney himself objected to the conditions of his work, though not to its unhealthy conditions but to the fact that much of it was public. He wrote in 1721 to Sir William Steward, the Lord Mayor, a letter asking

whether it be proper that ye Chappel of Newgate should be crowded sometimes with 100 or more Strangers tho' there is no part of ye Chappel but what is allotted for those who belong to ye Prison; which Strangers as they come purposely to gaze at ye Condemned Men, stand up o're each others Backs, & often hang on ye Posts & Beams, pointing & whispering, to ye Confusion of ye wretched Men to Dye, and to ye Preventing of ye serious Attention: several Boards in ye Chappel being also broken down, by ye Crowding and boistrous Behaviour.

¹ The Universal Spectator, 7 March 1741, reprinted in The London Magazine, March 1741.

Besides which there is at ye Door of ye Chappel (which is a small place) a continued Noise & Swearing & rattling of Money, the Under-Turn-keys sometimes not giving Strangers ye full Change, thinking they will not make a noise to disburbe ye Service, and ye Strangers also sometimes refusing to pay, having paid 6d. or a Shill. at ye First Gate, & being there promised that for that Payment they should go into ye Chappel. (1)

Against the dangers of the place and the discomforts of publicity Thomas Purney enjoyed a few compensating advantages. There was his salary. "But," his biographer stresses, "the Ordinary had another and more constant source of revenue - the sale of the Ordinary's Accounts."² At a time when the biography of a notorious criminal could have half a dozen editions in fewer months from the Accounts must have been considerable. Income from them was supplemented by the publication of individual 'Lives' of criminals under his care, though in writing these he incurred the competitive scorn of other authors and publishers engaged in the practise. This was a time when "an exciting life of a really interesting criminal had a more immediate sale

¹ H.O. White, op. cit. John Howard, The State of the Prisons (Everyman edition), p. 161, visited the Newgate chapel but under quite different conditions: plain and neat, a seat for the chaplain, three pews for the felons, and facing galleries (one for the families and one for the Keeper), he describes it without the "rattling of Money" or the "pointing & whispering."

² H.O. White (ed.), The Works of Thomas Purney. The Percy Reprints, Number xii (Oxford, 1933), p. xv.

than any other book of the day."¹ James Carrick, hanged in 1722 for an armed assault and robbery in Covent Garden, was quoted in the Ordinary's Account as "telling People that tho' they paid Money to see him in Newgate, if they'd go to Tyburn they might see him for nothing." In Newgate he busied himself by taking snuff during prayers; at the tree "he had continually some pretty Gesture or other."² All this was published about town in the Account and in a sixpenny pamphlet, A Compleat and True Account of all the Robberies of James Carrick. A year later The Life of Mr. John Stanley, a soldier of fortune, gambler, pick pocket and Covent Garden rake was published. John Applebee, the printer of this fifty-four page pamphlet, advertised to the reader that while Stanley himself had not written the 'Life' he had asked Applebee to have it done for him fearing that otherwise a false 'Life' would be published. Purney's biographer confidently assigns authorship to the Ordinary.³

At this time, in the early years of the 1720s, the attacks upon Purney's Accounts and criticism of the performance

¹ John Robert Moore, Daniel Defoe: Citizen of the Modern World (Chicago, 1958), p. 268.

² The Ordinary's Account, 18 July 1722.

³ H.O. White (ed.), The Works of Thomas Purney. The Percy Reprints, Number xii (Oxford, 1933), attributes Stanley's 'Life' to Purney 1) because the Tyburn Chronicle does so, 2) because the author was clearly in communication with Stanley throughout the Tyburn procession, and 3) because certain of the descriptions closely parallel those found in Purney's pastoral poems.

of his duties, begin. Matthias Brinsden, hanged for murder in 1723, barely lasted out the ten weeks between the date of his sentence and that of its execution, spending the time insensible with "the Prison Distemper."¹ Purney was accused of urging him to confess to sins that he'd never been guilty of. Despite his own statements two years earlier that he visited each of the condemned twice daily, he failed to visit Brinsden who was too far gone with fever to attend chapel. Nevertheless, Purney published an account of the malefactor said to have been fraught with error. Purney was often accused of fabricating the 'last dying speeches' of the condemned. One of his critics who believed that he had "studied the Chaplain's Performances more than any Man living" produced a compendium of criminal 'lives' parallel to the Ordinary's Accounts in which the rendition of the crimes of the malefactors often assumed subordinate place to crude criticisms of Purney's style of writing.²

¹ Select Trials at the Sessions-House in the Old Bailey (1742), I, p. 254 ff. This four volume collection of trials printed twenty years after these events was published by Purney's old printer, John Applebee. It is clearly based on earlier compendia and contemporary, though now lost, narratives.

²

This was the case with William Burk (Select Trials, i, p. 318; and the Ordinary's Account, 8 April 1723), Luke Nunny (Select Trials, i, 324; and the Ordinary's Account, 25 May 1723), and John Casey (Select Trials, i, p. 81; and the Ordinary's Account, 24 September 1722).

Purney was accused in these years of concealing "for the Honour of the Cloth" the fact that a notorious evidence at a trial in 1720 was a clergyman educated at Cambridge.¹ Nor, it was alledged, would Purney, "the ghostly father," report the speeches which too cogently argued the innocence of the condemned.²

On the other hand, the authors of criminal biographies often corroborated the facts of Purney's Accounts or did not differ from them in any important respect. Thus Purney's narratives of the lives of John Winship, Thomas Milksop, Thomas Butloge, and Thomas Wilson were reproduced in substantially the same form in the narratives contained in various editions of Select Trials.³ Such similarities

¹ The trial was of Spiggot and Phillips; the evidence was Joseph Lindsey. See Select Trials, i, p. 24.

² Select Trials (1742), i, p.37.

³ See the Ordinary's Accounts, 28 July 1721, 24 September 1722, 18 July 1722, and Select Trials, (1742), Vol. i, pp. 51, 268, 293, 218-19, and 274-5.

have been attributed to common authorship or to plagiarism.¹

We may add another reason, one which, astonishingly, is not considered by those who discuss this ephemeral literature; namely, that similarities in different accounts are the

¹ William Robert Irwin, The Making of Jonathan Wild: A Study in the Literary Method of Henry Fielding (New York, 1941), characterizes all of the Ordinary's Accounts as "fabrications," p. 81. Sandra Lee Kerman in her introduction to a recent edition of The Newgate Calendar (New York, 1962) argues that "the evidence indicates that the prison Ordinaries were responsible for writing and publishing the Calendar, as well as providing some of its most important information." While it is true that John Villette (Ordinary of Newgate, 1774-1799) edited under his own name one such compendium, the evidence does not otherwise show that the Ordinary wrote or even edited most of the ephemeral collections of criminal lives published in the 18th century. Indeed some of them, like that printed by Applebee in 1742, maintain a critical and ironic attitude to the Ordinary as we've seen. On the other hand, those who prepared these compendia ran fast and loose over the work of their predecessors. Doubtless they were at least familiar with the Accounts and probably in many instances borrowed from them. We have found it difficult to collect a list of the Accounts; a critical study of 18th century anthologies of criminal lives is needed. The bibliographies in L.W. Hanson, Contemporary Printed Sources for British and Irish Economic History 1701-1750 (Cambridge 1963) and D.J. Medley, Bibliography of British History: The Eighteenth Century (1951), are incomplete in this respect. We may, therefore mention a few such collections: 1) The Tyburn Calendar; or the Malefactor's Bloody Register (1700 ?), 2) Alexander Smith, The History of the Lives of the Most Noted Highwaymen ... &c., 2nd edition, 2 vols. (1714), 3) The Compleat Collection of Remarkable Tryals of Notorious Malefactors at the Sessions-House, 2 vols. (1718), 4) Blood for Blood: Or, the Murthers Just Punishment (1726),

Footnote #1 (continued)

5) Select Trials ... at the Sessions-House in the Old Bailey, 2 vols. (1734), 6) Lives of the Most Remarkable Criminals, 3 vols. (1735), 7) Select Trials ... at the Sessions-House in the Old-Bailey, 4 vols. (1742), 8) Select Trials at the Sessions House in the Old Bailey ..., 4 vols. (1742), 9) The Bloody Register, 4 vols. (1764), 10) Select Trials ... at the Sessions-House in the Old Bailey, 4 vols. (1764), 11) Remarkable Trials and Interesting Memoirs of the Most Noted Criminals, 2 vols. (1765), 12) The Newgate Calendar, 5 vols. (1771-1773), 13) John Villette, The Annals of Newgate, 4 vols. (1776), 14) The Malefactor's Register: Or, the Newgate and Tyburn Calendar, 5 vols. (1778), 15) The Old Bailey Chronicle, 4 vols. (1788). Nineteenth century editions of the "Newgate Calendar" in addition to supplying more recent 'lives' relied on various of these 18th century editions. Their prototype was the famous Knapp and Baldwin edition (1809), Criminal Chronology; Or, the New Newgate Calendar. According to Henry Savage, editor of The Newgate Calendar (Hartford, Connecticut, 1926), p. 7, Knapp and Baldwin drew their material from the Ordinary's Accounts. "From the manner in which the trials are reported," wrote Francis Place of a 1734 edition of Select Trials, "and the behavior of the criminals is related, the book is, what it was evidently intended it should be, a stimulant to the commission of crimes, the compilers no doubt being satisfied that they were promoting their own pecuniary interest by the mode they adopted." Brit. Mus., Add. MSS 27826/9, Place Collection, vol. 37.

result of actual conversations with the condemned. In short, that they report the truth. Nor can we exclude the possibility that some accounts were based upon written manuscripts of condemned men and women.¹ Humphrey Angier, a highwayman and keeper of a Charing Cross alehouse, surprised the judges at Old Bailey by referring in his testimony to a written journal:

Being asked by the Court what was his Design for keeping a Journal, whether it was upon the Perusal of his Robberies, he might the more particularly repent of them? he reply'd no, but it was for his own Safety, that he might be more exact when he should have the Opportunity to save himself, by becoming an Evidence. (2)

While we cannot, therefore, exclude the possibility that some 'Lives' were written by their purported authors, it remains true that most were not, and certainly the major collections of such 'Lives' were composed by "a race of men lately sprung up," as Addison referred to the, "Grub Street biographers."³ An historian of eighteenth century English biography remarks upon the result, "With an energy

¹ See the references above to occasions when the printer of such 'Lives' asked skeptical readers to inspect the manuscript of the 'Life' for its authenticity, pp. 115.

² The Proceedings, 28-29 August 1723. And for a further description of Angier, The Ordinary's Account, 9 September 1723.

³ The Freeholder, 1716.

unknown in the earlier century, London began to observe not only its famous but also its notorious people."¹ Who were these biographers? Who supplied the "energy" which observed London's notoreity in countless editions of Select Trials, Newgate Calendars, Genuine and Authentic Accounts, Famous Last Words and Confessions? Unfortunately among the Augustan literati they were commonplace and have remained largely anonymous. A recent book, Grub Street: Studies in a Subculture, is mainly a study of the hack men (and a few women) against whom Pope tossed his darts, locating them both within the Scriblerian's hierarchy of vulgar and polite literature and situating them in the various social milieux of different London neighbourhoods. It is thus often difficult to determine where Pope's descriptions of "Dulness" leaves off and the authour's begins. Nevertheless the forces circumscribing the 'Grub Street' writers' world are convincingly drawn: the material forces of penury and uncertainty on the one hand, and the disdain and scorn of 'polite' writers on the other. A bitterness and pretentiousness, painful to regard, left a permanent mark upon these second-rate scribblers, scars that are found too on the fragile amour propre of the Ordinaries of Newgate and their imitators.²

¹ Mark Longaker, English Biography in the Eighteenth Century (Philadelphia, 1931), pp. 62-66.

² Pat Rogers, Grub Street: Studies in a Subculture (1972), chapter v especially.

"I have made many a good meal on a monster; a rape has often afforded me great satisfaction; but a murder, well-timed, was my never-failing resource." Thus, the distressed poet, incarcerated in the Marshalsea prison for debt, explains how he made a living to Roderick Random.¹ Already by the 1740s such authors had become stock figures. Their deadlines set by hawkers clamouring for copy, forced to curry favors from minor court and prison officials, working fifteen hours a day during Quarter Sessions or the week of a hanging, their work consigned them to obscurity with little prospect of moving to politer branches of literature, though their productions soon formed a permanent but anonymous part of a trans-Atlantic plebian culture.²

Thomas Gent, an Irishman who became a successful and rather complacent master printer in York, was one of the few eighteenth century apprentices who has left us an autobiography, one written in 1746 though not published until 1832. As a young apprentice in London he worked for one Midwinter, a printer of trials and Newgate 'Lives,' off and

¹ Tobias Smollett, Collected Works, ed. John Moore (1872), vol. ii, Roderick Random, pp. 547 ff.

² William Davis Miller, "Thomas Mount and the Flash Language," Rhode Island Historical Society Collections, xii, 3 (July 1929), pp. 65-69, provides material that shows how widespread were the ballad literature and literature of criminal 'lives' that originated in London.

on between 1715 and 1725. With a popular ballad he worked from five in the morning till after midnight to produce copy enough for the ballad sellers. He attended Old Bailey during sessions time taking notes on the trials. Laborious, competitive, this branch of the writing trade was not without its risks: one of his employers was prosecuted for printing a criminal's 'Life' because the pamphlet quoted the malefactor's attestation of innocence and reflections upon the cruelty of his country's laws. Gent himself was active in these years defending printers thus prosecuted and those victimized by anti-Jacobite mobs. Though charged in 1735 with writing Dick Turpin's 'Life,' he probably did not, having freed himself from exclusive reliance upon this uncertain and temporary type of writing and having established himself as "Mr. Thomas Gent, Printer of York."¹

Thomas St. Legar was a different type. "Being a gentleman without wealth," he came to London from Ireland and tried in every way possible to get a living which did not compromise his social pretensions. First, he worked as a gentleman's footman, then as a bookkeeper to a merchant. He became acquainted with Tommy Williams, a printer, who

¹ The Life of Mr. Thomas Gent, Printer of York (1832), pp. 10 59-61, and 140.

"recommended him to the proprietor of The Penny-Post to steal and transcribe letters and essays for him out of the publick papers, and articles out of the Sessions Papers and Dying Speeches."¹ This work not proving satisfactory, St. Legar, bought an interest in some fishing boats, and in 1745 was hanged for smuggling thus finding a satisfactory place in those "publick papers" that he used to pirate.

Of all the eighteenth century authors of criminal 'lives' the most famous and elusive was Daniel Defoe. In 1703 Defoe himself had served time in Newgate. Twenty years later between 1720 and 1726 he regularly visited the condemned cells in Newgate, according to his biographer, despite what must have been at least a cool relationship with Thomas Purney.² Moll Flanders published early in 1722 two years after Purney assumed his duties in Newgate, contained in the Newgate episode a withering portrayal of the Ordinary "whose business it is to extort Confessions from Prisoners, for Private Ends, or for the further detecting of other Offenders." In this episode, the crisis of her career,

¹ The Ordinary's Account, 26 July 1745.

² John Robert Moore, Daniel Defoe; Citizen of the Modern World (Chicago, 1958), p. 269. This is the closest study of Defoe's life during this period though marred by small misjudgements. Applebee is regarded as one of Defoe's pseudonyms for example. He claims that the Ordinary was "authorized" to sell the condemned's "Dying Speeches." This was often claimed by the Ordinary's but I have found no record of such authorization in the Repertories of the Court of Aldermen where it ought to appear. ~~See also, below, pp.~~

Moll Flander's spiritual development is represented in inverse relation to the Ordinary's drunken attempts to advance it. Nevertheless, Purney continued to advertise the book in his Account through its second edition.¹ During this period Defoe wrote two 'Lives' each of Jonathan Wild and Jack Sheppard, one of which was so popular that it ran eight editions in four months.² Other 'Lives' are attributed to Defoe during this period, but owing to the obscurity surrounding both the genre and Defoe, it is doubtful whether one can make these attributions with certainty.³ The genre was often burlesqued, sometimes in masterful ways as in parts of The Beggar's Opera, but at other times in formally

¹ The Ordinary's Account, 18 July 1722.

² The History of the Remarkable Life of John Sheppard (1724), A Narrative of all the Robberies, Escapes, &c. of John Sheppard (1724), The Life of Jonathan Wild, from his Birth to his Death (1725), and A True and Genuine Account of the Life and Actions of the late Jonathan Wild (1725). A Narrative ran into eight editions in four months; Robinson Crusoe in contrast reached its fourth edition in three and a half months.

³ A Brief Historical Account of the Lives of the Six Notorious Street-Robbers (1726) is attributed to Defoe by F.W. Bateson (ed.), The Cambridge Bibliography of English Literature, vol. ii, 1600-1800 (Cambridge, 1940). In J.R. Moore, op. cit., all the short 'lives' of criminals published in Mist's Weekly Journal are attributed to Defoe. The most inclusive bibliography of Defoe's prolific writings is J.R. Moore, A Checklist of the Writings of Daniel Defoe (New York, 1960).

accurate ways as in the 'Dying Speeches' that Swift produced.¹ Parodied on the one hand, the genre was exploited for polemical purposes on the other. Defoe, for example, produced the first of his plans for the reformation of manners and reduction of metropolitan crime in 1728 in a pamphlet ostensibly written by "A Converted Thief."² By the end of the third decade of the eighteenth century not only had the authors of criminal 'Lives' become stock figures of fun, the genre itself had become established, able to maintain its integrity in the form of the Ordinary's Accounts while at the same time flexible enough to be transformed for a wide variety of other purposes. These other purposes, we should emphasize, were primarily satirical: if any one at the time employed the form for a serious treatment of the subject of crime, as opposed to the witty treatment of a literary convention, their work is lost to the historian's eyes. In the 1820s George Borrow arrived in London, penniless and enthusiastic. He got such eighteenth century hack

¹ See, The Last Speech and Dying Words of Ebenezer Elliston and The Last Farewell of Ebenezer Elliston to this Transitory World, both in Jonathan Swift, Irish Tracts, 1720-1723 (ed.) Herbert Davis (Oxford, 1963), pp. 37-41 and 365-367. See also A Full and True Account of the Solemn Procession to the Gallows at the Execution of William Wood in Jonathan Swift, The Drapier's Letters and other Works, 1724-1725, ed. Herbert Davis (Oxford, 1941), pp. 145-149.

² Street Robberies Consider'd... (1728).

work, compiling and re-compiling "Newgate Lives and Trials," but the work was competitive, uninspiring and tedious and he did it only for as long as he had to.¹ Not merely interested in the subject, but actually drawn to it, Borrow stands alone in the history of English rogue biographers as a writer who loved his subject.²

Thomas Purney, a man whose position and literary interests placed him excellently for the establishment of the rogue biography ~~was~~ as a serious genre, had little to do with it. In November 1727 he notified the Court of Aldermen that he wished to surrender his position.³ The Court accepted his resignation, paid him off, and accepted the petition of James Guthrie to replace the departed poet.

¹ George Borrow, Lavengro, Everyman edition (1961), pp. 19 ff. George Borrow, The Celebrated Trials and Remarkable Cases of Criminal Jurisprudence, 6 vols. (1825).

² Frank W. Chandler, The Literature of Roguery, 2 vols. (New York 1907), ii, p. 439 ff., makes this point.

³ Lond. Corp. R.O., Repertories of the Court of Aldermen, vol. 132, pp. 28-30 (28 November 1727). John Applebee, Purney's printer and one of Defoe's, evidently was a key figure in this period.

D. James Guthrie

James Guthrie officiated as Ordinary of Newgate for more than twenty years (1725-1746), longer than any other Ordinary during the first three-quarters of the century.¹ Of the Ordinary's Accounts published during that time ninety-nine have survived. Three of these are continuations of others.² Two describe the lives of single malefactors though each were also included in the regular series.³ One of the ninety-nine Accounts describes those sentenced by the Admiralty Sessions.⁴ John Applebee printed and sold ninety-five of the Accounts. The last five were published by M. Cooper following Guthrie's quarrel with Applebee in 1745. From November 1725 to May 1728 Applebee published the Accounts in four folio pages selling them at twopence. From 1728 to 1734 though retaining the folio pages Applebee reduced the type size, added a third column and sold them for threepence. In 1734 the format of the Account was transformed again to that which it would retain for the rest of the century: between sixteen

¹ The Rev. John Villette served longest, 1774-1799. See Horace Bleackley, The Hangmen of England (1929), pp. 260-262.

² The Accounts of 21 Feb. 1743/44, 13 Jan. 1741/42, and 18 March 1741.

³ See the Accounts of 18 November 1742 and 26 July 1736. I am grateful to Edward Thompson for calling my attention to the latter Account of Thomas Reynolds, the "turnpike leveler."

⁴ The Ordinary's Account, 22 December 1738.

and twenty-eight quarto pages selling for fourpence or sixpence each.

Guthrie, like Lorraine and Purney before him, was the subject of ridicule and attack. Prisoners and other critics alike criticized the way he performed his religious duties in respect to which his failures provided opportunities that the early London Methodists would enthusiastically seize.

Guthrie's Accounts were attacked too. In January 1730

Dr. Bedford, the minister at Hoxton, complained to the

viscount Percival about the scandal of the playhouses and

also of the scandalous practice of the Ordinaries of Newgate and other prisoners [sic!] in obliging the prisoners to auricular confession, or declaring them damned if they refuse, which is only to extort from them an account of their lives, that they may afterwards publish the same to fill their printed papers and get a penny. (1)

Not often was criticism of the Account joined with theological objections to confession. The attacks upon Guthrie must have told because at the end of his period in office as he grew infirm and testy in his dealings with the printer, his Accounts became frankly defensive including an apologetic "Preface" or "Introduction." We will examine the attacks and his defenses in turn.

1

MSS of the Earl of Egmont: Diary of viscount Percival afterwards first earl of Egmont, Vol i., 1730-1733 (Historical Manuscript Commission, 1920).

James Guthrie's religious guidance to those in his responsibility brought reactions of impudence, indifference, and defiance. He did not, unlike Lorraine, publish many sermons or entertain ambitions as a theologian. The one sermon of his that has survived was published for a characteristic reason:

It is not out of any Desire to appear in Publick, that this Discourse is publish'd; but because many fictitious Accounts, and pretended Sermons, in Name of the Ordinary of Newgate, containing nothing but incoherent Stuff and Jargon, and done by unskillful ignorant Imposters are impudently carry'd about the Streets. (1)

Less than a year later Guthrie found it necessary to include in the section of the Account which contained advertisements the following disclaimer:

There was, two or three Weeks ago, in a Paper call'd Parker's Weekly Journal, a Paragraph inserted by Way of Derision, calling the Chaplain of Newgate, a Great B--p of the Cells; and that a Day about that Time there was a great Stir and Confusion in the Chappel. (2)

This "Great B--p of the Cells," like those before him, was often satirized in both polite and Grub Street literature. In 1733 one Burnet published The First Satire of the Second

¹ James Guthrie, M.A., A Sermon Preach'd in the Chapel of Newgate Upon the Particular Desire of Robert Hallam under Sentence of Death (1732).

² The Ordinary's Account, 9 October 1732.

Book of Horace, Imitated in a Dialogue between Alexander Pope
and the Ordinary of Newgate, a Parson. Pope worries,

My own black Deeds defame me, I shall be
 Less pity'd than Jack Sheppard at the Tree.

And the Ordinary replies,

Be comforted my Son, I'll stand your Friend,
 John Applebee and I will both attend. (1)

Ten years later Henry Fielding published The Life of
Mr. Jonathan Wild the Great whose fourth book contains a
 "Dialogue between the ordinary of Newgate and Mr. Jonathan
 Wild the GREAT" which Fielding regarded "as one of the
 most curious pieces which either ancient or modern history
 hath recorded."² Certainly, it is the most famous burlesque
 of the Ordinary. Depicted as a drunkard and a hypocrite,
 the chapter exposes the pretensions, stupidity, cowardice
 and bad pronunication of the Ordinary. In contrast to
 Fielding's own latitudinarianism, the narrow-minded Ordinary
 regards Heartfree, the moral hero of the burlesque, a
 "cursed rogue" for believing that "a sincere Turk would be
 saved." While one cannot categorically claim that Fielding
 has here drawn a portrait of James Guthrie, it is true that

¹ London, 1733. Victoria & Albert Museum and Library.

² The consensus among Fielding scholars puts the date of composition of Jonathan Wild in the spring of 1742. See Wilbur L. Cross, The History of Henry Fielding, i, 381 (New Haven, 1945), and F. Homes Dudden, Henry Fielding: His Life, Works and Times, (Oxford, 1952), i, pp. 492-499.

even the internal evidence of Guthrie's Accounts exposes him to similar attacks.¹ As though salvation were a question of wheedling for place, the Ordinary exhorted the condemned prisoners "to consider what a great Work they had to do to secure themselves and Interest in the Kingdom of Heaven."²

More remarkable than these attacks were the critical reactions of the condemned malefactors to the pompous ministrations of James Guthrie. Often he quotes prisoners to show "the Stupidity and hardness of these unthinking and miserable Creatures" when one can quite plausibly construe the significance of the remarks in opposite ways to those that he intended. Christopher Freeman "behaved very undecently, laugh'd and seem'd to make a Mock of every Thing that was serious and regular" when Guthrie "examined and exhorted [him] privately."³ Cocky Wager "in Time of Worship ... fell a Laughing: I reprov'd him sharply," wrote Guthrie, "he beg'd a thousand Pardons, and promis'd better behavior in the future; yet at two or three other Times he behav'd indecently and disturb'd all the rest."⁴ Ann Mudd

¹ F.H. Dudden, op. cit., i, 457, argues that the portrait of the Ordinary is not true to Thomas Purney, the Ordinary at the time of Wild's hanging, when more to the point is the similarity of the portrait of the Ordinary in Jonathan Wild to James Guthrie who held the office at the time Fielding composed the book.

² The Ordinary's Account, 22 November 1742.

³ Ibid., 24 May 1736.

⁴ Ibid., 3 March 1736/37.

"... us'd to sing obscene Songs, and talked very indecently:

For this I reprov'd her sharply, showing the Great Danger her Soul was in...."¹ Joseph Golding "was a very profane, unthinking Hearer, for he could not abstain from laughing."² William Udall was reprov'd for smiling in chapel and defended himself by saying that "he had a smiling Countenance."³ A song, a smile, a laugh, a giggle these were not the ways to obtain an "Interest in the Kingdom of Heaven," nor do they bespeak to the effectiveness of James Guthrie at Chapel time.

Insolence and minor forms of defiance were not the only forms of hostility that Guthrie had to face. Christopher Rawlings in the days before he was hanged busied himself at chapel by cutting off the tassels of the pulpit cushion.⁴ Joseph Parker openly insulted Guthrie during the sermon.⁵ John Cooper spat on the pulpit.⁶ John Riggleton made a practise of sneaking up to the Ordinary when his eyes were shut during prayer and screaming in his ear.⁷ When Guthrie prevented Thomas Beck from receiving visitors Beck threatened to shoot him.⁸

¹ Ibid., 29 June 1737.

² Ibid., 26 May 1738.

³ Ibid., 14 March 1738/39

⁴ Ibid., 20 May 1728.

⁵ Ibid., 7 May 1740.

⁶ Ibid., 22 November 1742.

⁷ Ibid., 26 July 1745.

⁸ Ibid., 22 May 1732.

Such behavior must have worn him down, the right Reverend Guthrie, M.A. Attempting to portray ^{this behaviour} ~~it~~ as the symptom of childishness if not lunacy, one sees that Guthrie had not only lost the respect of the condemned prisoners but was often in danger of losing control of them. In this context, his private talks to prisoners mocked, his sermons interrupted by song, his person threatened with attack, that George Whitefield, Charles Wesley, and lesser known London Methodists began to obtain an influence over London prisoners.

In the early spring of 1737 the young evangelist, George Whitefield, "with fear and trembling ... obeyed the summons and went in the stage coach to London." For four years, interrupted by a few trips to Oxford and Bristol, Whitefield preached to enormous crowds in London. During the first year he preached in Newgate, Wapping, Tower Hill, Ludgate, and Islington. Excluded from the parish church in Islington he went "out to the highways and hedges [to] compel harlots, publicans, and sinners to come in, that my Master's house may be filled." By 1739 he had established himself as a great outdoor evangelist, storming Satan's strongholds at Moorfields and the Kennington Commons gallows.¹ Whitefield

¹ Luke Tyerman, The Life of Rev. George Whitefield (London, 1876), Vol. i, pp. 55, 77-83, 150, 205-14, and 477.

was joined in London by John Wesley's brother, Charles, and his companion, Charles Kinchin, in 1738. They took the lead during the first years of the Methodist movement within the London prisons. Already in May 1738 we read that they

joined this morning in supplication for the poor malefactors, while passing to execution; and in the sacrament commended their souls to Christ. The great comfort we found therein made us confidently hope some of them were received as the penitent thief at the last hour. (1)

For two years Charles Wesley preached in London prisons whenever possible. During these first years we have little evidence from Newgate prisoners about Methodism, though if Charles Wesley had anything near the effect on the prisoners as he did upon himself ("At Newgate I was melted down under the word I spake") his influence must have been considerable. Untainted by the corruptions of prison life, able to overcome his doubts about "death-bed penitence," and willing to promise malefactors "pardon in the name of Jesus Christ if they would then, at the last hour, repent and believe the Gospel" he at least offered a vision that avoided Guthrie's meager conception which made the obtaining an "Interest in Heaven" very much like currying favor with him, confessing particular crimes and betraying friends.²

¹ Rev. Charles Wesley, The Journal, (London, 1849), Vol. i, p. 96.

² Charles Wesley visited the condemned prisoners in May, July, September, October, and November 1738, February, March, June, and July 1739. He also preached at the Marshalsea and Fleet prison though expelled from the latter in July. See, ibid. pp. 117, 120, 130, 132, 134, 142, 144, and 154.

By 1741 the London Methodists had established a permanent foothold in London. They obtained a tabernacle, the Foundry, in Moorfields. At the same time they took a position in the Tyburn procession: in May of that year as the procession drove to Tyburn through multitudes especially "rude & noisy, hallooing, throwing Brickbats, Mud, &c." the behavior of a Methodist in the procession "seem'd rather crazy than devout" and James Guthrie smugly reported that his rival was "silenced."¹ The voices of the early Methodists would not be permanently silenced: in the following years of the 1740s they obtained not only a regular position in the Tyburn procession (we recall the prominence of the Wesley hymnal in Hogarth's depiction of Tyburn) but there is sufficient evidence to show that their visits and correspondence with prisoners in Newgate had an effect among the condemned. One of the Wesleys' early hymns, addressed it seems specifically to London's malefactors, interpreted heavenly salvation in the violent and sacrificial imagery which in the context of Tyburn was only barely metaphorical:

Out-casts of Men to you I call.
Harlots, Publicans and Thieves,
He spreads his Arms to embrace you all,

¹ The Ordinary's Account, 18 March 1740/41.

Sinners alone the Grace Receives
 No need of him the Righteous have,
 He came the Lost to Seek and Save.

Come O my guilty Brethren come,
 Groaning beneath your Load of Sin,
 His Bleeding Heart shall make you Room,
 His open Side shall take you in,
 He calls you in, Invites you home,
 Come O my guilty Brethren come. (1)

Michael Grant, a casual worker in the weaving and river trades, took comfort in these stanzas at his hanging in July 1742.

While Thomas Homan rotted in the condemned cell for the better part of 1742 under sentence of death he was regularly visited by two Methodists, Richard Pottenger and Silas Told. Some of their correspondence was published in Guthrie's Account.

Its emphasis upon the "blood of Our Savior" and its concern for Homan's plight lend to the letters a vigor and seriousness absent from Guthrie's usual humbug.²

Thomas Hill condemned in 1744 for counterfeiting the duty stamp for playing cards, was also visited frequently by the Methodists.³

The work in London prisons of Charles Wesley, Whitefield, Richard Pottenger, Sarah Peters, Silas Told, and unknown Methodists won not only a certain influence among prisoners

¹ Ibid., 12 July 1742.

² The Ordinary's Account, 18 November 1742.

³ Ibid., 17 Feb. 1743/44.

but the respect even of those who otherwise satirized them.¹
 One recalls that Humphrey Clinker's bout with the Methodists
 in Clerkenwell New Prison is not unsympathetically presented.²
 In Hogarth's plate, "The Idle Apprentice Executed at Tyburn,"
 it is the Methodist, Silas Told, who rides with Tom Idle
 in the open tumbril while the Ordinary, silent and tight-
 lipped, rides isolated and enclosed in a hackney coach. One
 understands why the influence of the London Methodists held
 a place among the London lazzarone and remained an irritation
 to Ordinaries of Newgate into the next century.³

However, the success of these early London Methodists
 among the "Out-casts of Men" should not go unqualified; their
 motivations towards Newgate prisoners sometimes appeared more
 akin to Guthrie's than not. John Simmott, a Methodist,

¹ For further discussion of the early London Methodists see
 chapter 15 below on "~~Tyburn Disturbances.~~"

² Tobias Smollett, The Expedition of Humphry Clinker (Oxford,
 1966), pp. 138 ff.

³ Basil Montagu in An Inquiry into the Aspersions Upon the late
 Ordinary of Newgate (1815) reports that Brownlow Ford's
 (Ordinary, 1799-1814) tranquillity had for many years been
 interrupted by the imprudent zeal of persons professing to
 be methodist preachers," p. 63. The London antiquary, John
 Thomas Smith remembers London vagabonds "drinking, swearing,
 fighting and occasionally chanting Tabernacle hymns." See
 his Vagabonida; Or, Anecdotes of Mendicant Wanderers through
 the Streets of London (1817). In his memories of youth in
 18th century London the strongest impressions were made by
 the preaching of Whitefield at the Kennington Common gallows
 and the Tyburn processions of all public spectacles, see
 J.T. Smith, A Book for a Rainy Day, 3rd edition (1861).

wrote Richard Lee, alias "Country Dick," while he was waiting his hanging day for stealing a wig, a hat, and some buttons:

As many Things will undoubtedly be offered to the Public relating to your unhappy Affair, and which in all Likelihood may be mere Invention. I give this Caution, as one that wishes your Soul well, let no one have any Thing from you, except the Person who prints the Dying Speeches, or myself, than I am sure you will have Justice done you, as well as the Public.

The point was stressed in a postscript,

I must press you to let nobody have any Thing from you, but the Person whose Property it is, or myself; because I know the ill Usage of some particular Persons to Men in your unhappy Misfortunes. (1)

Money was to be had from the words of the condemned; to lay hold of it was grubby work. At the trial of Joseph Parker in May 1740 a Newgate turnkey admitted to accepting bribes from prospective authors who wished to gain knowledge of the sharper and coiner, Joseph Parker.²

Even the natural advantage of Guthrie's position required defense. By 1733 several 'Lives' and 'Dying Speeches' of malefactors had been published independently of Guthrie or of his printer, John Applebee, and Guthrie felt compelled

¹ The Ordinary's Account, 7 November 1744.

² Ibid., 7 May 1740; and The Proceedings, 16-19 April 1740.

to write:

The Curiosity which the Publick generally expresses on Account of any Malefactors Actions, are the too common Practise of imposing fictitious and absurd Relations on the Town, to satisfy that Greediness of hearing their Exploits, has chiefly excited the Publisher of this Paper to procure the most authentick Notices, Hints, and Memorandums, which he possibly could, in order to gratify the Expectations of his Readers ... (1)

The "Notices, Hints, and Memorandums" were not always forthcoming. Some simply refused to confess anything. John Barnet told Guthrie that "he had done enough that way, for confess or not confess, they would hang him on Wednesday," so he refused to talk.² James Falconer "being of the Romish Communion would not come to any ingenuous Acknowledgment of his Errors."³ Peregrine Hudley refused to talk to the Ordinary about anything at all.⁴ Others confessed but for particular reasons. Terry Gerrard admitted that he was a great thief but refused to offer any particulars.⁵ James Leonard refused to talk to the Ordinary except insofar as he could provide evidence for the innocence of other prisoners incarcerated in Newgate.⁶ "'Tis worthy of

¹ Ordinary's Account, 25 Apr. 33.

³ Ibid., 3 March 1736/37.

⁵ Ibid., 18 Jan. 1737/38.

² Ibid., 23 Dec. 1730.

⁴ Ibid., 14 March 1738/39.

⁶ Ibid., 14 March 1738/39.

remarking," Guthrie wrote of prisoners in general,

that when the inconsiderate Wretches have brought themselves to a fatal Necessity of reaping the Fruit of their vicious Labour, their greatest Concern is to extenuate their Guilt; and even in their dying Minutes they too frequently endeavor by solemn Asseverations and mean Prevarications, to perswade the World that they are innocent, or not so shamefully wicked as has been imagined. (1)

'Lives' of single criminals continued to be published during Guthrie's tenure in office as they had been earlier.²

¹ Ibid., 29 June 1737. Several others were willing to confess alright but only if Guthrie promised to publish their confessions before they were turned off. Richard Eades read his 'Dying Speech' two days before he was hanged, ibid., 31 July 1741. Thomas Osborn used to doodle on the dungeon wall and with the other condemned men "laughed all the Time at each other, while the Person was writing what they said," his life was published two days before he was hanged, ibid., 5 June 1732. This evidently was a favor which Guthrie chose sometimes not to grant. Matthew Mooney, for example, "was very desirous of having the Account of his dying Behaviour publish'd before his Execution, and being answer'd that it was impossible; reply'd it was very common in Dublin, which is plain Demonstration that he was a downright Teaguelander," ibid., 22 November 1742.

²

See, for example, Anon; The Life of Catherine Hayes (1726), Anon., The Life of Mr. Richard Savage (1727), Anon., A Genuine Narrative of all the Street Robberies Committed since October last by James Dalton (1728), J. Bernardi, A Short History of the Life of Major John Bernardi (1729), Anon., The Life and Infamous Actions of that Perjurd Villain, John Waller (1732), Sarah Malcolm, A True Copy of the Paper Deliver'd the Night Before her Execution (1733), Anon., News from the Dead; Or a faithful and Genuine Narrative of an extraordinary Combat between Life and Death exemplified in the Case of William Duell (1740), and John Ramsay, An Account of the Life, Adventures and Transactions of Robert Ramsay alias Sir Robert Gray (1742).

An observer at Newgate in the 1730s "perceived a slender Gentleman address himself to one of the Criminals in a low tone to this Effect, that he would tip him as handsome a Coffin as a Man need desire to set his A-se in, if he would come down but half a dozen pages of Confession."¹ Cocky Wager, a popular highwayman of the 1730s, told a prospective author of his 'Life' that "what's done can't be undone, so what signifies plaguing myself about it?" and no 'Life' appeared but what James Guthrie put in the Account.² Many prisoners took careful pains to see that nobody should hear (or read) anything about them until after their hanging by withholding information (or manuscripts) until they were actually at the gallows and then delivering it to trusted friends, or, and this quite frequently, to John Applebee. Francis Woodmarsh gave his paper to Applebee.³ Joseph Cole and Edward Blastock gave their written confessions to friends.⁴ James Hall, a failed mealman and Queenhithe barge factor, delivered a sealed confession to Applebee two days before he was hanged in order to correct the errors that had already been published

¹ Anon., A Trip Through the Town (1735 ?), p. 30.

² The Ordinary's Account, 3 March 1736/37.

³ Ibid., 14 May 1731.

⁴ Ibid., 4 February 1736/37 and 26 May 1738.

anonymously about his case in a pamphlet called Matchless Villany.¹ John Jennings, a nineteen year old clogg maker condemned for a small theft with a "Woman who cried Fish," sent a letter to his mother via the offices of Applebee, and a few days later (as though returning a favor) delivered to that printer a written confession of his crimes that covered four full pages in the Ordinary's subsequent Account.² There is in the Accounts of these cases a certain confusion, no doubt intended, between the persons of James Guthrie and John Applebee. One's not sure which of them does the actual interviewing though one suspects that it was not always Guthrie even while appearing to be in the Accounts. Further light on their relationship is cast by the case of Thomas Carr, a former vestry clerk of St. Paul's, Covent Garden, and an attorney's clerk, who was hanged in January 1738 for an assault and theft.

In Newgate Thomas Carr refused to talk to Guthrie; he failed to attend chapel; he received a constant stream of visitors, and was in general (according to Guthrie) treated far too indulgently. He belonged to a "certain Knot" of Old

¹ Ibid., 14 September 1741..

² Ibid., 22 November 1744.

Bailey lawyers who made a practise of procuring false witnesses and screening "fraudulent Dealers behind the Letter of the Law."¹ Shortly after Carr was hanged Some Observations on the Trial of Mr. Thomas Carr was printed. It characterized Guthrie's account as a "partial and contradictory Account given ... by the Ordinary of Newgate in his incoherent Magazine of Trash and Scandal."² Guthrie was accused in the pamphlet of refusing to provide an accurate summary of the trial, or omitting Carr's statement of innocence at the gallows, of failing even to mention his written declaration which was supposed to have exonerated Carr of all wrongdoing. At Tyburn Tree this written declaration was delivered to John Applebee: "there might be Reason to fear, whether Justice would be done him" had the letter been given to James Guthrie.³ Evidently Applebee had his own network of obtaining such documents in addition to the channels that the Ordinary offered.

¹ The Ordinary's Account, 18 January 1737/38. Neither was Guthrie immune from the infections of Old Bailey corruptions: Margaret Frame, a Rag Fair receiver of slop clothing, had been his personal servant for a couple of years. He testified to her "good Character" in court, see ibid., 18 March 1740/41.

² The pamphlet may be found in G.L.C.R.O. (Mddx. Div.), 32.13.

³ We should not fail to say that sometimes Guthrie came to the defense of malefactors whose story had been prematurely and inaccurately printed. Dean Bryant was forced to sign a false confession that appeared in the Daily Advertiser (20 September 1738) which Guthrie corrected after Bryant hanged. See the Ordinary's Account, 8 November 1738.

The conflict between printer and Ordinary came to the Court of Aldermen in February 1744/45 in the form of a petition by Guthrie.¹ He complained against Applebee's practise of publishing "confessions and last dying words of malefactors" and asked the Court to have this stopped. Although his petition was "read and dismiss," Guthrie did change printers and the next surviving Account (7 June 1745) was published by M. Cooper at the Globe in Paternoster Row. John Applebee, however, continued to be the official printer of the Middlesex Quarter Sessions: in 1748 he prints the court's order suppressing the Tottenham Court Fair, and in 1749 he prints its order against Sabbath breakers.²

With only a year in office remaining to the aging Guthrie, he and his new printer attempted in the first three Accounts they published together to reinvigorate it by including general essays on the problem of metropolitan crime.³ "It is proposed," their first Account began,

¹ L.C.R.O., Repertories of the Court of Aldermen, Vol. 149, p. 165 (19 February 1744/45).

² G.L.C.R.O. (Mddx. Div.), Orders of Court, MJ/OC, vol. 5, fol. 178; and Sessions Papers, MJ/SP, fol. 66 (July 1749), and fol. 67 (31 August 1749).

³ A short explanation of the purpose of the Account had been published during the previous summer while Applebee was still printer: "The execution of Offenders would be of little Service to the Society, consider'd barely as removing so many Malefactors, the Benefit expected from it arises from Example, or rather the Effects of Example; this the Law seeks and this is principally sought by the rendering these Papers publick," The Ordinary's Account, 8 June 1744.

for the future to render this paper more generally useful to all ranks and degrees of readers. The misfortune hitherto has been, that the account of these unhappy sufferers, being published in a stile and language a little too gross and indelicate for the better kind of readers, their case has not been attended to, as one could wish, by those in whose power it is to put a stop to the growing evil. (1)

The introductory essay continued to advance arguments in favor of "a general reformation" led by the "rich and great." The magistracy cannot take the lead because "their power centers rather in the correction of the body than in the informing of the mind." Only those whose position is so great that their "goodness" can act as a widespread example and whose powers enable them to work up "practicable schemes for the sanction of the legislature" can strike out from the city the irreligion and idleness in which crime breeds. The author need "not inform the rich and powerful that these unhappy people are our fellow creatures," but nevertheless reminds them that it is so. "If a man of benevolent turn would but survey our back streets, and observe the manner of life, the poor creatures there are

¹ Ibid., 7 June 1745. The point was emphasized in a post-script: "The Ordinary having consented to commit the conduct of this paper for the future to a new editor, who has more at heart a due care and concern for truth and the welfare of society, than regard to the profits it may produce, it is much to be hop'd, that such papers as appear hereafter, will have the happiness to please people of the best understandings...." Hitherto, the Accounts were generally "farce and invention."

habituated to....," why then, his humanity thus aroused, reform of the law and eradication of crimes might begin. That it is only the ignorance of the "rich and great" that prevents the reformation of those living in "desperation and misery" in "our back streets" is an unusual sentiment to appear in the Account. We also note that it is a theme that is quickly dropped. A similar expression appeared in the next Account though buried in the advertisements of the last page:

Oh! that those who shine in pomp and state,
would but condescend to look down with the
eyes of compassion, on the multitude of such
unhappy people, who daily represent them-
selves to view in the outskirts of this great
and opulent city! (1)

"But," the author prudently concludes, "the nature of my paper won't permit me to enter into the source of this evil without seeming to give offense." Indeed! And the theme is not touched on again.

This introduction must have caused something of a stir, because the next issue of the Account is introduced by an essay which identifies a number of critics of "the new turn given to this paper by the present Editor."² Some accuse him of harbouring ambitions of replacing Guthrie as Ordinary.

¹ Ibid., 9 July 1745.

² Ibid.,

Others think that Cooper intends to make it a "state paper," a supplement as it were to the Old Bailey Proceedings. A third group regards it as a forum for attacking the Methodists. A final group seems to allude to Applebee:

Others, especially the disappointed Printers, who either have had, or are desirous of having the management of this paper, in order to get a dinner by feasting the Public with matter of their own invention, rail much at the language, and aver in all companies, such was never wrote before; which perhaps is true: they say likewise, that none, but a person very conversant with the ignorant and miserable, can possibly be acquainted, with either their trade or wit, and consequently no judge of what they ought to say when they die....

The rest of the introduction provides "hints" on the best method for attaining the restoration of virtue among the common people. This can only occur when the law is designed to reform causes of crime and not simply to punish the crimes themselves. A numerous, well-deployed magistracy with the active support of parochial religious officers is necessary in London, for unlike the inhabitants of a "country village" those living in the national center of commodity exchange act "as if they inhabited an extended wilderness."

Wherever great cities are, wherein trade is well circulated, and business pursued with spirit, there men of all ranks and turns of mind will resort, as the mart where all may deal: the industrious come to improve their fortunes, the extravagant to spend them, and knaves to make their market of both.

Thus, it is the contradictions of diverse ranks and purposes, not the mere huddle of people together in the city, that produces the evils of which the crimes narrated in the Accounts are but an example. Besides the recommendation that bagnios, gin shops, bawdy houses and night cellars be suppressed, M. Cooper asks "any ingenious person" having more specific plans to have them inserted in the Account by applying direct to the printer in Paternoster Row.

The penultimate Account published during Guthrie's tenure as Ordinary, that of 4 April 1746, is once again introduced by a short disquisition, this one entitled "Labor ipse Voluptas." "Labor is the basis of our welfare" in the positive sense of producing wealth and in the negative sense of limiting opportunities for the theft of it. The theme is first illustrated by a Dick Whittington fable which teaches that "fortune is the sure friend of laudable industry."¹ It then generally exhorts the reader to show concern for the wretched of the city if not on grounds of humanity then at least for the sake of self-interest:

¹ Whittington, a poor boy without friends or relations, saves a penny. With a penny he buys a cat. The cat is sold. Cats are bought, cats are sold, his profits accumulate. Soon a merchant in the Mediterranean trade, Whittington presents a cat to the Bassa of Barbary thus ridding the potentate of rats in his kingdom. Riches and glory follow, Whittington is thrice made Lord Mayor of London. "What would a poor boy have wished more?"

Instead of having our imaginations playing in the moon, or wandering after politics and nonsense, perplexing ourselves about what is doing in Flanders, or the West Indies, we should at least take care to be safe in our own houses. [Finally the essay warns the reader that]*the epithet of idleness usually given to these unhappy people, is too general, it conveys no adequate idea of the evil.

Specific instances described with force and accuracy (as the French novelist, Scarron, is said to have done) may shock citizens into the reform of a negligent magistracy, where general invocations lead to only complacent indifference.

General arguments for reform supplied by himself, "practicable schemes" for putting the reforms into effect supplied by his readers, and the particular tales of wretchedness demonstrating the necessity of reform supplied by the Ordinary of Newgate: surely, with all of this afoot Cooper's plan was admirable. But a plan that had the makings of transforming the Account into an open, polemical journal for legal and penal reform needed above all the cooperation of Guthrie. By the summer of 1746 this was no longer possible: in May Guthrie was expelled from office.

Guthrie remained more than twenty years Ordinary of Newgate, though at several times during that period he must have wondered if he would last another day. In July

1729 in the context of a wider examination of prisons in London the Court of Aldermen appointed a committee "to Inquire into the profitts belonging to the Ordinary of Newgate."¹ Unfortunately, the committee's report is lost so we cannot know how Guthrie survived through his first threat to his position.² Five years later at the beginning of 1734 Guthrie caught wind of the Court's intention of appointing a replacement. He petitioned the Court: that "he having serv'd so long without any fault, having a Family to provide for, no other preferment in the Church and lost the Curacy of Coleman Street & a Latin School there, to attend the Duties of that painful office," he requested that his tenure be continued.³ And it was.

¹ *Lond. Corp. R.O.*, Repertories of the Court of Aldermen, vol. 133, pp. 477-478 (1 July 1729). The successful escapes of two prisoners from the condemned hold led to a thorough examination of the Keeper and his servant by the Aldermen. This was also the time that the House of Commons' Select Committee on the State of the Gaols of the Kingdom issued its reports, the first on 25 February 1728/29 and the second on 14 May 1729. See The Parliamentary History of England, Vol. viii (1722-1733), for those dates.

² Unfortunate, too, because this might have been one of the few sources that would enable us to derive estimations of the size of the market of the Ordinary's Account.

³ *Lond. Corp. R.O.*, Misc. MSS. 33.9, "The Petition of James Guthrie, 1733/34."

Finally in 1746 the Aldermen found that Guthrie was "render'd incapable ... by Age and other Infirmities," and it dismissed him from the office removing him from the house in the Old Bailey that had become a perquisite of the office and pensioning him off at £10 a quarter.¹

E. Samuel Rossell

Following the dismissal of Guthrie the Court of Aldermen appointed Samuel Rossell, Curate of St. Giles, Cripplegate, for twenty years to the Newgate living. At the same time the Court found it necessary to specify the duties of the Ordinary. He was to read prayers twice every Sunday and once every other day in the week. He was to administer the sacrament once a month and to preach sermons on Sundays and Wednesday.² In the short period of Rossell's tenure in office (he died within the twelvemonth) the Ordinary's Account reverted to the earlier form that it had prior to M. Cooper's short-lived attempts to make it into a more influential periodical.

Cooper was got rid of, and T. Parker and C. Corbett in Fleet Street became "the only authorized Printers of

¹ Lond. Corp. R.O., Repertories of the Court of Aldermen, Vol. 150, pp. 240-241 (14 May 1746).

² ~~Lond. Corp. R.O.,~~

the Dying Speeches."¹ Rossell's first Account reminded the reader of the Aldermen's order and defined the purpose of the Account narrowly, as an auxiliary to the judicial process:

The prisoners will be daily and constantly attend by me, pursuant to the new order of my most worthy patrons the Right Honourable Lord Mayor and the Court of Aldermen. The publick may therefore depend upon having a plain, concise, and ingenuous narrative of these unhappy objects, and almost in their own words; with such discoveries as may be useful to particular persons, or of general use of mankind. (2)

At the same time he promised that his Account "will not be swell'd with any heads of sermons, nor shall family affairs ever be divulg'd." In this same introduction he explained why hanging was necessary, as though he were justifying his policy in the Account against the implicit criticisms of the previous editor:

... executions in the state are frequently as necessary, for the welfare and security of the body politick, as bleeding for the preservation of the life of man: 'Tis certain that no government cou'd subsist long in case a lawless liberty, or rather licentiousness, were allow'd, and no punishments inflicted on bold offenders: It is requisite that some sort of criminals should suffer death, as examples to deter others; and the justice as well as lenity of the government we live under, is manifest, in its inflicting punishments proportionable to the offences committed.

¹ The Ordinary's Account, 1 August 1746.

² Ibid.

"Some sort of criminals should suffer death" and while they await their useful death they may use their confinement to spiritual advantage by studying Rossell's publication (advertized in each Account), The Prisoner's Director, or hope they are visited by a clergyman who has studied another of Rossell's publications, The Clergyman's Companion in Visiting the Goals. Besides these publications and his introduction to the first Account we know little about this former curate who died while ministering to the condemned.

F. John Taylor

Following the death of Rossell, John Taylor was elected from a field of five candidates to become the new Ordinary of Newgate in May 1747.¹ Fifty-two Accounts from his period in office have survived; forty-four of these were published by Parker and Corbett, and the remaining eight by R. Griffiths who replaced the former printers in June 1754. The size, format, pattern on contents, and price of the Account remained as they had been established by Applebee and Guthrie. The self-consciousness about the audience and purpose of the Account also continued under the new Ordinary. The first issue endeavoured to publish "whatever [the condemned malefactors] shall think fit to acquaint me with in

¹ Lond. Corp. R.O., Repertories of the Court of Aldermen, Vol. 151, fols. 250-252 (12 May 1747).

Respect to their Life and Conversation, shall faithfully and ingenuously be dealt forth in almost their own Words, as Occasion offers."¹ In subsequent issues he emphasized the endeavour:

As I promised, at my first coming into the Place of Ordinary, that I would neither add nor diminish from the Account, these poor unhappy Wretches give of themselves and as near as possible, always repeat it in their own Words; so the Publick may perceive by the foregoing Sheets, that I have been strictly true to my Promise: As these poor Creatures were quite illiterate, and could hardly deliver their Accounts intelligibly, I have only endeavoured to make it fit to read, keeping to their own Words as near as possible. (2)

With Taylor as with the Ordinaries before him there were malefactors who refused to have their 'lives' published or their crimes confessed. Mary Allen for example, "resolved to give no Account of herself, she said, because she would have no speeches made about her when she was dead."³ John Edwards, a sailor and sawyer, wouldn't talk either for fear of having his character "blasted in London."⁴ Nor did Peter Oldfield, a Southwark hatter, "choose to have his Name blasted in Papers after he was dead."⁵ Although Thomas

¹ The Ordinary's Account, 17 June 1747.

² Ibid., 17 March 1748/49 and 16 November 1747.

³ The Ordinary's Account, 17 June 1747.

⁴ Ibid., 7 February 1750.

⁵ Ibid., 26 March 1750.

Crawford, in Taylor's words, was "as well known as any one that has gone up Holborn-Hill for a long time past," he too was unwilling to have his life published after his death and refused to cooperate with Taylor.¹ Patrick Dempsey, an Irish sailor and Catholic, would not talk with the Ordinary for religious reasons: "Auricular confession being sacred among these People, no Discovery of whatever Villainies he may have committed is to be come at."² Earlier, apparently, Taylor had not allowed those who could "come at" confessions (priests) permission to get them, for in April 1749 we find the Secretary of State writing the Sheriffs of London ordering them to direct the Ordinary to allow Catholics the "Assistance of a Person of their Communion" in the last days before they were hanged.³ So directed, John Taylor expressed the strength of his opposition to Catholics in other ways. In 1753 he refused to journey across London with three Catholic malefactors to Tyburn, and thus, he wrote, he denied "them the Opportunity of turning their Backs on me."⁴

¹ Ibid., 8 August 1750.

² Ibid., 7 February 1750.

³ P.R.O., S.P. 44, Entry Books, Vol. 84, fol. 143, The Secretary of State to the Sheriffs of London, 24 April 1749.

⁴ The Ordinary's Account, 28 May 1753.

Arguments about the authenticity of particular 'lives' and competition among printers to be first with the published 'lives' of notorious malefactors continued during Taylor's tenure as Ordinary though not as frequently as they had under Purney and Guthrie. John Parry confessed to Justice Fielding and again to Taylor in order to discredit an account of his 'life' published before he was hanged.¹ Henry Simms or "Gentleman Harry" and "as famous a thief as ever yet adorn'd the Gallows" promised before he was turned off that only Parker and Corbett, "the Printers of the Dying Speeches," could publish an authentic account of his life, which they did four days after he was hanged.² In 1752 when John Taylor published a pamphlet about Captain James Lowrey, hanged for killing some of his crew on a Jamaica run, he found it necessary to attest to the authenticity of the account by inviting readers to inspect the original manuscript that he had received from Lowrey the morning of his execution. "Others who are pretended Printers of this Narrative,"

¹ Ibid., 5 June 1754.

² Ibid., 17 June 1747.

Taylor averred, "would have seen him, but he did not desire to see them one of them having treated him so ill before...."¹

If anything distinguished Taylor's Account from those of his predecessors it was the practise of proffering advice to his readers about how to avoid becoming the victims of particular types of crimes and of justifying particular laws and punishments which he considered his readers did not take seriously enough. Thus in the summer of 1747 when several members of the Hawkhurst gang of smugglers were hanged, he published a five page argument showing that smuggling is an heinous offense despite the fact that "the common People of England in general fancy that there is nothing in it but cheating the King of a small Part of his revenue; and that there is no Harm done to the Community in general, or to the Properties of particular Person...."²

¹ John Taylor, The Only Genuine and Authentic Narrative of the Proceedings of the late Captain James Lowrey (1752). Some other 'lives' printed during this period without Taylor's permission were Anon., A Genuine and Authentick Account of the Life and Transactions of William Parsons, Esq. (1751), Joseph Cox, A Faithful Narrative of the Most Wicked and Inhuman Transactions of the Bloody-Minded Gang of Thief-Takers (1756), and Rev. Dr. Allen, An Account of the Behaviour of Mr. James MacLaine from the Time of his Condemnation to the Day of his Execution (1750).

² The Ordinary's Account, 29 July 1747. During Taylor's period in office an Act was passed changing the punishment for murder from hanging to hanging and dissection. It fell to Taylor to justify the Act on religious grounds. His arguments are described below where we discuss the Act in the context of popular opposition to the surgeons and physicians.

A year later Taylor offered warnings against types of credit frauds practised against tradesmen. George Cook, hanged that June, used "to go into any Neighbourhood, and by Enquiry, to find out if any Person who lived thereabouts was gone to Sea, and to make himself as much a Master of the Time when they went, where bound to, and other Particulars, as might enable him with an Air of Truth to talk to his Wife or Family" and having thus gained their confidence cheat them. "Let me," Taylor concluded, "take this Opportunity to caution Mankind from those Instances to beware of being too credulous of such idle Stories but be well satisfied before they alienate any Part of their Property."¹ George Robins, a butcher, marketman and brandy duffer, forged Customs certificates, letters of credit, and practised other cheats one of which depended upon disguising himself as a country trader come to town. "A Set of Gentlemen Sharpers now infest this City and Suburbs," Taylor warned, "genteely dressed, who call themselves Country Tradesmen, and under that Pretense, some times assisted with a sham Recommendation, procure unwary Merchants or Tradesmen to send their Journeymen with such Goods as they pretended to want to some Inn of Repute, in order to be there paid of them in ready Money."²

¹ Ibid., 22 June 1748.

² Ibid., 7 November 1750.

G. Stephen Roe

Such hints to tradesmen that Taylor offered in his Accounts were replaced by the self-flattering humbug that characterized the Accounts of Stephen Roe, the new Ordinary of Newgate from 1755 to 1764.¹ "It is no idle station to be posted at the gloomy avenue of death," he wrote in the introduction to his first Account,

there to receive the unwilling traveller, and conduct him in a path, the reverse of what he had chosen to read, through the course of his former life: to meet the reluctant passenger on the brink of eternity's boundless ocean, and there open and point out (if not secure) to him a passage to the land of everlasting life, who had before wilfully plunged himself into the attractive whirlpool of misery's abyss; to draw him thence as a drowning man; to revive the worse than senseless mass, to a moral and spiritual life; all this is no light task; it demands not only human endeavours, but divine assistance; it demands not only the zeal and diligence, the skill and vigilance of a faithful servant, but bespeaks the favourable wishes, and aids, shall I add, the fervent prayers of all who wish prosperity to so necessary and valuable a work.

A paragraph followed bemoaning idleness and "the love of vicious pleasures." Another attacked the Methodists for their "boast of instantaneous conversion and sudden changes

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Stephen Roe was parodied in one of Goldsmith's essays in the Weekly Magazine (1759), "A Biographical Memoir, supposed to be written by the Ordinary of Newgate," in James Prior (ed.), The Miscellaneous Works of Oliver Goldsmith (New York, 1854), Vol. i, pp. 368-371.

in moral characters." A fourth claimed that the Account would reform wickedness and make the idle industrious by the force of the examples it contained. Finally, the introduction concluded with an apology reminding us of the literary pretensions of the new "B--p of the Cells:"

The readers of taste, who may design to look into this account, it is hoped will not be offended at its plain narrative stile, as being given in the words of the person treated of, as near as may be, and the descriptions of their behaviour taken from the life in order to give a natural and striking picture of them. (1)

The "striking and natural picture" could only be depicted if the condemned malefactors were willing to pose for them. If they chose not to, one of the few recourses that the Ordinary had was the refusal to serve with Holy Communion despite the order to the Court of Aldermen.²

Thomas Farr, a soap maker and tallow chandler, was hanged for forging a will. He'd heard Wesley preach in Bristol and London and he used to attend the Moravian chapel in Fetter Lane. Roe offered him the sacrament on condition that he confess. Farr called the Ordinary a "wicked man,"

¹ The Ordinary's Account, 5 October 1757.

² Lond. Corp. R.O., Repertories of the Court of Aldermen, Vol. 1.

and only confessed after the Sheriff's officers kept him from sleeping by banging on his cell door.¹ Paul Lewis refused to confess. "When he was moved to Newgate to take his trial, he now and then came up to the latter part of divine service, strutting and rattling his irons, as if proud of the cause in which he wore them. His voice was now and then exalted in a response, or an amen, in a loud and ludicrous tone." He said of Roe: "D--n him, I shall lick him before I have done with him, if he don't give me the sacrament." No sacrament and no confession; Lewis sold his 'life' to another printer.² Charles Brown, born in "Antegoa" and schooled in Philadelphia, refused to confess because he understood that the Ordinary received twenty-five pounds from every issue of the Account and, Roe said without denying the fact, "he envied me these large emoluments." Instead Brown "sold the copy of his life" to another printer insisting on the highest terms "which were to provide for his funeral" for he boasted that "he would be buried like a lord."³ John Prince attacked and

¹ The Ordinary's Account, 10 November 1762.

² Ibid., 4 May 1763. Anon., A True, Genuine and Authentick Account of Paul Lewis (1763).

³ The Ordinary's Account, 23 November 1763. The 'life' unfortunately is lost, though according to Roe, Brown owned that "he had put in some things particularly about horses, that were not true."

"tumbled down the stairs" a printer for having published his 'Life' without permission.¹

Among the regular attendants at Tyburn processions during the 1760s was a group of wealthy rouses who met on hanging days for breakfast. Taking their chocolate on a balcony high above Oxford Street they watched the condemned go by below. When one of them, George Selwyn, was out of town, another, Gilly Williams, send him descriptions of the hangings and it is from one of these that we learn an anecdote that mentions another of Stephen Roe's emoluments. Gilly Williams heard one Newgate runner "call to another, and order a chicken boiled for Rice's supper; but says he ye need not be curious about the sauce, for you know he is to be hanged tomorrow. That is true, says the other, but the Ordinary sups with him, and you know he is a hell of a fellow for butter!"²

H. John Moore, John Wood and John Villette

John Moore, John Wood, and John Villette, the three clergymen who filled the office of Ordinary of Newgate between 1764 and the end of the century, may be discussed quite

¹ Ibid., 7 & 28 March 1764.

² John H. Jesse, George Selwyn and his Contemporaries, (1843), Vol. i, p. 241.

briefly because they fall outside the period of our study and because the surviving Accounts from their periods in office are few.

Only three Accounts survive from the period in office of John Moore. In each he added the note, "This is the only true account that hath been published neither will there be by any authentic one but by me."¹ He became Ordinary in the autumn of 1764. Two years later the Court of Aldermen ordered him provided with "two Surplices, one large Bible, one large Book of Common Prayer, and thirty small ones for the use of the Ordinary of Newgate and Prisoners."²

John Wood served as Ordinary from 1769 to 1774.³ He published his first Account in February 1770, "having, at the Instance and Desire of the Public, with Permission of the late Right Honourable Lord Mayor and worthy Aldermen of this City undertaken to make the Behaviour, Confession, and Dying Words of such Culprits as suffer the Execution of the Law, within my Precinct known to the World."⁴ This is the first, though indirect, evidence that the Court of

¹ The Ordinary's Account, 13 February 1765.

² Lond. Corp. R.O., Repertories of the Court of Aldermen, Vol. 168, p. 354 (23 October 1764), and Vol. 170, fol. 481 (4 November 1766).

³ Horace Bleackley, op. cit., p. 260, says that Wood's period in office ended in 1773. This conflicts with Lond. Corp. R.O., Misc. MSS. 162.3, "Statement of the Salary and Allowances of the late and present Ordinary of Newgate."

⁴ The Ordinary's Account, 14 February 1774.

Aldermen granted permission for the publication of the Accounts. Two years later he described the purpose of the Account in a long letter addressed "To the Public,"

The design of the present publication is to convince the world by what gradual steps the unhappy sufferers, who gave occasion to it, were brought to their unfortunate end. It is humbly hoped, that all of the lower class, who may happen to read it, will profit by the intention of it; and SERVANTS in particular will here see the fatal effects of dishonest craft, of ill company, an extravagant mode of living, with a contempt of the principles and practice of religion. (1)

John Villette, Ordinary of Newgate 1774-1799, published a 'life' of Dr. Dodd who was hanged in 1777. It began,

Custom having almost established it as a law, that the Ordinary of Newgate shall give the Public some account of the convicts who suffer death by the laws of their country,

and we see that within the course of seventy years a publication that began amidst controversy and the opposition of the Court of Aldermen had become, if not an official publication of the metropolitan judicial system, at least a customary part of it.² Very few Accounts appear to have

¹ Ibid., 27 May 1772.

² John Villette, see also his A Genuine Account of the Behaviour, Confession, and Dying Words of William Hawke and William Jones (1774).

survived from Villette's long tenure in office; on the other hand he was the only eighteenth century Ordinary who unquestionably took an active part in the production of the multi-volumed compendia of criminal stories and 'lives.'¹ Whether the cause for this change is found in a changing market for the material or in Villette's personal predilections we cannot know. In any event Villette's income, without the emoluments derived from these publications, was higher than that of any of his predecessors.

John Wood, for example, received £35 annual salary from the City, £6 as the annual interest on £100 gift to preach to the condemned prisoners, and the value of two City Freedoms (£25 each) granted to him each year, giving him a total annual income of £91. Villette enjoyed two additional Freedoms; his salary from the City was increased to £145; and he got £10 from a legacy paid by the Governors of St. Bartholomew's Hospital. This gave him an annual income of £261.² In addition the Ordinary possessed other perquisites of office, the occasional meal and a house in Newgate Street "clear of the land tax."³ Appearing five

¹ See above, footnote , page 204 .

² Lond. Corp. R.O., Misc. MSS. 162.3, "Statement of the Salary and Allowances of the late and present Ordinary of Newgate."

³ John Howard, The State of the Prisons (Everyman edition) 1912, p. 161.

or six times a year at £25 each (accepting Charles Brown's estimation), the publication of the Accounts probably brought an additional revenue of between one hundred and one hundred and fifty pounds per annum.

We have not been able to determine when the Ordinary ceased publication of the Accounts. The last one we have been able to find is dated 27 May 1772. It is likely that few were published after that date, although penny broadsides, rogue biographies, and "Newgate Calendars" continued to enjoy a flourishing market. Villette as we've seen took to these other forms of publication. Nevertheless, the older Accounts continued to be read: first, by those searching for material for new forms of presentation, and second, by London plebians. Francis Place whose youth in the 1780s followed the probable demise of the Accounts found in older collections of them reading matter that evidently affected him deeply. Forty years later in the 1820s when he began to put his personal archive in order he commented on the Accounts with a detail that bespoke an assiduous reading of them and with a bitterness whose excesses, one suspects, resulted from the rejection of material that he once had regarded with fondness.

"What must have been the character of the times when an Ordinary of Newgate could authorize the publication of such tales as merry adventures?"¹ Francis Place had no doubt: he included his commentaries in his volume entitled "Grossness," one of his volumes documenting the immoralities of the previous age. Of a passage in a December 1730 Account he wrote: "The bad taste, bad stile, and bad grammar of this short passage would disgrace any decent tradesman's son of the present day - certainly no clergyman of the Established Church would suffer such a passage to be printed as this."² He objects to another Account by James Guthrie, that of 24 November 1740 in which 'life' of Margaret Stanton is recounted. Her crimes "she seems to have considered a good joke and the Ordinary puts it in such a way that others might think so likewise."³

¹ Brit. Mus. Add MSS. 27825/33-34. Place Collection.

² Ibid., fols. 79-84. He objected to Guthrie's passage, "I was obliged often to threaten them with Hell and Damnation and to tell them they deserved no favours of God nor man, and that all the misery and misfortune they met with were a punishment too little for their villainies; but they were foolish and inconsiderate, that it was very hard to gain upon them or to do them," The Ordinary's Account, 23 December 1730.

³ Brit. Mus. Add. MSS. 27825/79-84. Place Collection.

The 8 August 1750 Account receives from Place's pen underlinings, markings, and annotations, the exegetics of grossness. "The preceding account penned by the Ordinary of Newgate are [sic!] a vivid picture of the state of the police the audacity of the street robbers and the coarse and careless language which a clergyman of the Church of England wrote in the middle of the last century."¹ His commentaries conclude with the old unfounded charges:

There was at this time, a morbid desire for confessions - which continued until within a few years and still exists with a few fanatics: The Ordinary used to torture the persons under sentence of death for confessions, his purpose being publication by which he obtained money, his pretence relieving the conscience and saving the soul of the criminal. (2)

While Place's attacks are part of a broader change both representing his social ascendancy and perhaps an altered relation between the toughest parts of London's labouring poor and the new organizations of its working class, we may note that they do not include criticism of the factual basis of the Accounts. Place objects to their style, to the fact that they include advertisements, to their taste, their grammar and their tone. What concerns us most, their reliability as an historical source, he regarded as irrelevant.

¹ Ibid., fols. 33-34.

² Brit. Mus. Add. MSS. 27826/111. Place Collection.

Chapter Seven:

THE VERIFICATION OF THE ORDINARY'S ACCOUNT

"The only kind of story that is worth a button -
a true story - the story of Thomas Robinson, alias
Scott, alias Lyon, &c."

Charles Reade,
It's Never Too Late to Mend (1856).

"One gets a lot of illumination in that fierce
light that beats upon a scaffold."

Lord Peter Wimsey.

Of those scholars who have immersed themselves in the ephemeral and pamphlet literature about eighteenth century crime, some accept the Ordinary's Accounts as accurate sources of information and others reject them tout court: neither position however rests upon a systematic study of them.

Mr. William Irwin for example who has studied the rhetorical and historical sources of Fielding's Mr. Jonathan Wild asserts that the Accounts are characterized "by brevity, fabrication, circumstantial realism, luridness and moral Pretentiousness."¹

M. Dorothy George on the other hand from her immense knowledge of eighteenth century London states that "the Ordinary's Accounts of the persons executed ... are a mine of information on manners and contemporary opinion."² Between these two extreme positions various others fall which either are not interested in the historical accuracy of the Accounts being interested instead in the attributes of them as a literary genre, or which wisely refrain from a premature judgment.³ Among the latter we can take some comfort from

¹ William Robert Irwin, The Making of Jonathan Wild: A Study in the Literary Method of Henry Fielding (New York, 1941), p. 81.

² M. Dorothy George, London Life in the Eighteenth Century, revised edition, (1965), p. 431. The author shows no hesitancy in using the Account on its face value, and she quotes it on p. 190.

³ H.O. White (ed.), The Works of Thomas Purney, The Percy Reprints, No. xii (Oxford, 1933), examines the Account but not from the point of view of their accuracy. John Robert Moore, Daniel Defoe (Chicago, 1958), pp. 268-7, implies that the Accounts were unreliable without actually saying so.

the judgment of F.W. Chandler, the authoritative bibliographer of English rogue literature and picaresque, who includes his discussion of the Account in the section called "Literature and the Rogues of Reality." He writes,

The literary significance of the criminal biographies has never been recognized. They have suffered neglect for several reasons. Intrinsically, they are of small artistic value; as allied with journalism they are largely and fortunately ephemeral; as catering to the vulgar instincts of the vulgar many, they fall below the dignified historian's horizon line; and, further, they are so widely scattered as to be reassembled for purposes of study only at a cost of pains and patience out of all proportion to their apparent merit. Nevertheless, they have exerted no inconsiderable influence in the shaping of modern fiction. They have been source books of realism, and their narrative method has instructed great story-tellers. (1)

Though brushed with the prejudices of an earlier period (the historian's horizon has expanded since 1907 beyond country house, battlefield and Westminster), Chandler scrupulously recognized that the merit, and, we may add, accuracy, of the Accounts must await the reassembly of the Accounts from their scattered locations. Having at least begun that bibliographical task, it is now possible to

¹ Frank W. Chandler, The Literature of Roguery (New York, 1907), Vol. i, p. 181.

assess the accuracy of the Accounts upon which their merit as an historical source depends.¹

The Ordinary's Account was usually divided as we have noted into several parts: 1) an introduction that appeared occasionally, 2) a summary of the main facts of the trials which sentenced the malefactors together with the Biblical texts from which the Ordinary preached to the condemned, 3) a series of short biographies of each of the condemned, 4) a miscellaneous section containing copies of letters the condemned wrote or received, a more extended biography or autobiography than the third part contained, and 5) a short description of the execution. The first part, if it appeared at all, was a statement of intention and we have discussed it only as it throws light upon the Ordinary. The last section unfortunately is generally uninformative and we discuss it in chapter 15 where we discuss Tyburn disturbances. The other sections (the recapitulation of the trial, the short biographies, and the extended narratives) pose problems as historical sources whose authenticity we must assess. We examine these in turn.

¹ Only recently have the tools of historical criticism been applied to a literature that is so promising. Noel McLachlan, the modern editor of The Memoirs of James Hardy Vaux (London, 1964), has been successful in establishing the authenticity of this exceptionally good instance in the genre of criminal biographies. His is an encouraging example.

1. . Recapitulation of the Trial. This is the simplest of the sections to verify as allied evidence is accessible and some of it published. In this section the Ordinary tells us the offense, its date, and the verdict and sentence of the court. In cases of theft, robbery, or burglary the Ordinary further specifies the goods stolen and their value. All of this information is also contained in The Proceedings of the corresponding trials and in the bills of indictment filed against each offender. To check these sources is to corroborate the Ordinary on every count. Naturally, we have not done this in every case, but a check through The Proceedings and the bills of indictment for all of those hanged as a result of capital sentences levied in 1740 establishes the Ordinary's accuracy.

Eight sessions of Gaol Delivery met in 1740. One of these, in September, was a maiden Sessions, but as a result of the others twenty men and women hanged, seven as a result of the City Gaol Delivery and thirteen as a result of Middlesex Gaol Delivery. Though City and Middlesex Gaol Deliveries met successively and are not differentiated in The Proceedings, the bills of indictment of each are retained by different archives. In the case of the City they are

bound with "Sessions Files" which are located in the Corporation of London Record Office and in the Table below we cite them by the date of the sessions. In the case of Middlesex, indictment bills are attached in the "Sessions Rolls," retained by the Greater London County Record Office, Middlesex Division, and we cite them by their appropriate archival signature. In Table 4 the first column lists the names of the men and women who were executed as a result of capital sentences passed in 1740. The second column gives an abbreviated indication of their offenses without however specifying the goods stolen or their value. The third column lists the dates of their trials, dates which correspond also to those of The Proceedings. The fourth column lists the dates of their hangings which dates also act as a method of citing the Ordinary's Account. The final column presents information for locating the appropriate bill of indictment in either the City "Sessions Files" or the Middlesex "Sessions Rolls." In every case the Ordinary's recapitulation of the indictment is accurate.

One can do more than locate the bill of indictment. Once caught in the judicial process a criminal's name found its way into a goodly number of books, calendars, registers,

papers, and rolls all of which to a greater or lesser extent were shortened versions of the information appearing on an indictment bill. Consequently one could provide a half a dozen or so manuscript sources authenticating any single criminal charge reproduced in the Ordinary's Account, verification to the third and fourth degree.

Hugh MacMahan, Garret Farrel, and James Ryan were hanged on 3 March 1736/37 for a highway robbery committed in December 1736, the Ordinary tells us. The Proceedings for 14-17 January 1736/37 confirms the date of the offense, the articles stolen and their value. The Gaol Delivery Roll contains the same information on the bills of indictment against them and some of it on the parchment calendar in which the files are rolled. The Gaol Delivery Book contains their names, the charges against them, and the court's verdict. A Calendar of Indictments will contain their names in an alphabetical list of all those appearing before the January 1736/37 sessions. Their names appear again in the Calendar of Commitments and the Calendar of Prisoners. One might pursue their names further into the Orders of Court Book or the Sessions Papers, but as it happens in this case

TABLE IV

CORROBORATION OF THE ORDINARY'S ACCOUNT: INDICTMENTS OF THE HANGED IN 1740

Name	Offense	Sessions	Hanging	Indictment Bill
Robert Onion	Breaking & Entering	16. i. 1739/40.	13. ii. 1739/40.	City, 16 Jan. 1739/40.
John Lineham	Highway Robbery	16. i. 1739/40.	13. ii. 1739/40.	Mddx., MJ/GSR. 2730.
Thomas Motte	Stealing from a dwelling house	16. i. 1739/40.	13. ii. 1739/40.	City, 16 Jan. 1739/40.
John Sawney	Highway Robbery	29. ii. 1739/40.	7. v. 1740.	Mddx., MJ/GSR. 2732.
John Singleton	Stealing	19. iv. 1740.	7. v. 1740.	Mddx., MJ/GSR. 2735.
Thomas Clements	Murder	19. iv. 1740.	7. v. 1740.	City, 16 April 1740.
John Hyde	Highway Robbery	19. iv. 1740.	7. v. 1740.	Mddx., MJ/GSR. 2735.
John Moore	Highway Robbery	19. iv. 1740.	7. v. 1740.	Mddx., MJ/GSR. 2735.
Sam Badham	Murder	11. vi. 1740.	6. vii. 1740.	Mddx., MJ/GSR. 2740.
John Foster	Murder	11. vi. 1740.	6. vii. 1740.	City, 9 July 1740.
John Clark	Highway Robbery	24. v. 1740.	6. viii. 1740.	Mddx., MJ/GSR. 2745.
William Meers	Breaking & Entering	18. x. 1740.	24. xi. 1740.	Mddx., MJ/GSR. 2745.
Eleanor Mumpman	Breaking & Entering	18. x. 1740.	24. xi. 1740.	Mddx., MJ/GSR. 2745.
William Duell	Rape	18. x. 1740.	24. xi. 1740.	Mddx., MJ/GSR. 2745.
Thomas Clack	Breaking & Entering	18. x. 1740.	24. xi. 1740.	Mddx., MJ/GSR. 2745.
Margaret Stanton	Stealing from a dwelling house	18. x. 1740.	24. xi. 1740.	Mddx., MJ/GSR. 2745.

TABLE IV CONT.

Name	Offense	Sessions	Hanging	Indictment Bill
Richard Quail	Highway Robbery	9.xii.1740.	18.iii.1740/1.	Mddx., MJ/SR. 2747.
Joseph Huddle	Highway Robbery	9.xii.1740	18.iii.1740/1.	Mddx., MJ/SR. 2747.
Thomas Nash	Breaking & Entering	9.xii.1740.	18.iii.1740/1.	City. The indictments for this and the next case are destroyed.
Robert Legress	Breaking & Entering	9.xii.1740.	18.iii.1740/1.	Indictment destroyed.

no material in these sources bears on the case.¹ These men were brought to trial at the Middlesex Gaol Delivery at the Old Bailey. A similar replication of information in books, papers, calendars, registers, rolls and files followed the path of criminals through the City Gaol Delivery at the Old Bailey. Behind the Ordinary's Account of the trial of the condemned sits a packet of papers in the London judicial repositories which readily enough verifies his Account without unfortunately adding anything to it. Let us turn now to the second important section of the Account.

2. The Short Biographies of the Hanged. The biographies of the hanged are invariably presented in two parts. The first part is short, a dozen or two dozen lines, containing the most vital information for our purposes: the birth place, the age, the education, the family, the apprenticeship training, and the work history of the condemned. The second part, longer, a column or two sometimes two pages, recounts in detail, sometimes verbatim, the trial of the

¹ G.L.C.R.O. (Mddx. Div.). Mddx. Gaol Delivery Roll, MJ/GSR. 2670 (January 1736/37); Mddx. Gaol Delivery Book, MJ/GBB. 315/55-67 (January 1736/37); Mddx. Calendar of Indictments, MJ/CJ. 4/206-7; Mddx. Calendars of Commitments, MJ/CC (Newgate 1736); Mddx. Calendar of Prisoners, MJ/CP. Box 3 (Newgate Gaol 1736); Mddx. Orders of Court Books, MJ/OC. 4 (1733-1743); and Mddx. Sessions Papers, MJ/SP. January 1736/37.

offender, the circumstances of the previous crimes, the character of cohorts, and with garrulous, loving detail incidents pertaining to these. This part appears to be the Ordinary's transcription or synopsis of his conversations with the condemned, and, on the face of it, there's no reason to think that it's not. To be sure, it is occasionally thin indeed. Either the condemned refused to have any truck with the Ordinary at all who made no attempt to conceal this in the Account finding in this silence further evidence of the reprobate, depraved nature of the malefactor, or the condemned simply did not have the strength of body or spirit to chat with the Ordinary, the prisoner being "miserably poor and naked" as the Ordinary's standard phrase had it, a formula phrase one thinks until it is remembered that prisoners had to pay for everything: bedding, any drink but water, any victuals but stale bread, even light and air.

Anyone who has been in prison or who knows anything about prisoners at all will recognize each of these responses. There are those whose case preoccupies most of their attention and who will gladly go over it to any one willing to listen. Points of law, points of fact, the mien of magistrates, the character of jurors, the purposes of witnesses are all deeply etched upon the memory and recalled over and over again sometimes obsessively. If anyone knows a trial, it's

the one whose tried. One recalls Dr. Johnson's remark on the effects of a capital sentence on the power of concentration. And when there are those without an interest in their case or their crimes; those lost to physical deterioration, the verges of madness, or the stupour of the totally defeated, with nothing at all to say. One is also continually surprised by how few these are.

The purposes of our study do not require us to make systematic use of these aspects of the biographies. We do not regard them as "fabrications," but those who do will find little in this study that depends on them. Of the short, first part of the biographies, on the other hand, we make much use. Here is material that, when abstracted from the single Account and compared to like material in others, produces some of our most important conclusions. It is well that we examine this information closely, and where possible, corroborate it.

The Ordinary tells us first where the condemned were born. In 151 cases we have found external corroboration or at least repetition of the Ordinary's statement about the condemned person's place of birth. Table ~~IV~~^V, "Corroboration of the Ordinary's Account: Residence or Place of Birth of the Hanged," summarizes our findings. These

are really of two sorts and as our table amalgamates them we should stress the difference.

In the first place the table offers corroboration of what the Ordinary believed to be fact. In sixty-one cases The Proceedings confirms the Ordinary's statement about place of birth. Of course confirmation in the printed record of the trial does not prove that for example, John Wigley, was born in Islington as the Ordinary asserts. It only shows that either the Ordinary cribbed from The Proceedings or that what John Wigley told the Court he also told the Ordinary and what John Wigley says and what is so may be very different: John Wigley may wish to protect friends, he may wish to avoid shaming his family, or he may wish simply to tell a tale or two. Cases where The Proceedings are cited as "corroborating" the Ordinary's statement, therefore, should be interpreted as establishing the Ordinary's faithfulness to what he was told or what others were told and he repeated, not as establishing the fact that John Wigley was born in Islington.

In the second place the table contains confirmation not only of the Ordinary's statement but historical corroboration of the fact. Thus not only did the Ordinary say that James Fairbrother was born in Holborn as The Proceedings say too,

but according to the parish Register of Baptisms he was born there. Parochial records of baptisms have not been as useful as we have wished because even when the Ordinary is able to give us an accurate age of the condemned this still leaves, especially in populous parishes, scores of pages to check through, and often as we shall see the age provided by the Ordinary was off by a year or so making verification by baptism registers all but impossible. Still, we have confirmed the birth place of five of the condemned from their baptism records.

Then we have several types of verifying evidence that fall between these two stools. Where the origin of the malefactor was of some importance to the newspapers and magazines they reported it and they have confirmed the Ordinary's Account in five cases. In four cases apprenticeship records have confirmed the place of birth. In sixteen cases the parish of residence as identified in the Account (which often provides us with both parish of residence and place of birth) is confirmed by that inserted in the bill of indictment. In seven cases the birth place of the condemned has been verified by incidental remarks made in judicial examinations, depositions, and confessions.

TABLE V

CORROBORATION OF THE ORDINARY'S ACCOUNT: RESIDENCE OR PLACE OF BIRTH OF THE HANGED

Name	Date Hanged	Ordinary's Statement	Source of Corroboration and Remarks
John Wigley	11. ix. 1721.	Islington	<u>The Proceedings</u> , 30 August - 1 September 1721.
William Marr	9. xi. 1722.	St. Margaret's	<u>Ibid.</u> , 10 - 12 October 1722.
William Burk	8. iv. 1723.	Stepney	<u>Ibid.</u> , 27 February 1722/3.
Luke Nunny	25. v. 1723.	Whitechapel	<u>Ibid.</u> , 24 April 1723.
Rich. Trantham	25. v. 1723.	Stepney	<u>Ibid.</u>
Wm. Anderson	5. i. 1724/5,	Aldgate	<u>Ibid.</u> , 4 - 9 December 1724.
James Carter	3. xi. 1725.	Ireland	<u>Ibid.</u> , 13 - 15 October 1725.
John Cartwright	12. ix. 1726	Yorks	<u>Ibid.</u> , 1 - 3 September 1726.
Peter Boother	18. ix. 1727.	Marylebone	<u>Ibid.</u> , 30 August - 1 September 1727.
Rich. Lynn	20. xi. 1727.	St. Sepulchre's	<u>Ibid.</u> , 17 - 19 October 1727.
Sarah Griffiths	20. xi. 1727.	Bewley, Worcs.	<u>Ibid.</u>
Jos. Barret	12. ii. 1727/8.	St. Gile's	<u>Ibid.</u> , 17 - 20 January 1727/8.
Rich. Jones	12. ii. 1727/8.	Shoreditch	<u>Ibid.</u>
Benj. Branch	27. iii. 1728	Holborn	<u>Ibid.</u> , 28 February - 5 March 1727/8.
Martin Bellamy	27. iii. 1728.	St. Katherine's	<u>Ibid.</u>
James Stagles.	27. iii. 1728.	Stepney	<u>Ibid.</u>
James Toon	20. v. 1728.	Shadwell	<u>Ibid.</u> , 1 - 7 May 1728.

TABLE V CONT.

Name	Date Hanged	Ordinary's Statement	Source of Corroboration and Remarks
John Hornby	20.v.1728.	Castle-Baynard	<u>The Proceedings</u> , 1 - 7 May 1728.
Richard Smith	23.xii.1730.	Clerkenwell	<u>Ibid.</u> , 4 - 9 December 1730.
John Barnet	23.xii.1730.	Whitechapel	<u>Ibid.</u>
William Brabant	23.xii.1730.	St. Giles's	<u>Ibid.</u>
Abraham White	23.xii.1730.	St. Giles's	<u>Ibid.</u>
George Wych	8.iii.1730/1.	Hanover Square	<u>Ibid.</u> , 24 - 25 February 1730/1.
Robert Cooper	16.vi.1731.	Mile End	<u>Ibid.</u> , 2 - 4 June 1731.
Wm. Burroughs	16.vi.1731.	St. Giles's	<u>Ibid.</u>
Edward Payne	20.xii.1731.	St. Sepulchre's	<u>Ibid.</u> , 13 - 15 October 1731.
Samuel Cole	20.xii.1731.	St. Sepulchre's	<u>Ibid.</u>
Robert Hallam	14.ii.1731/2.	St. Anne's	<u>Ibid.</u> , 14 - 19 January 1731/2.
Thomas Past	6.iii.1731/2.	Twickenham	<u>Ibid.</u> , 23 - 25 February 1731/2.
Thomas Edwards	6.iii.1731/2.	Spitalfields	<u>Ibid.</u>
John Wakeling	5.vi.1732.	Bedfords	<u>Ibid.</u> , 25 - 29 May 1732.
Daniel Tipping	9.viii.1732.	Newgate Market	<u>Ibid.</u> , 5 - 8 July 1732.
Richard Marshall	29.i.1732/3.	Clerkenwell	<u>Ibid.</u> , 11 - 13 October 1732.
Wm. Macklaughlane	29.i.1732/3.	Ireland	<u>Ibid.</u>

TABLE V CONT.

Name	Date Hanged	Ordinary's Statement	Source of Corroboration and Remarks
Henry Neal	29.i.1732/3.	Cripplegate	<u>The Proceedings</u> , 11 - 13 October 1732.
William Heath	29.i.1732/3.	Hackney	<u>Ibid.</u>
Samuel Thomas	29.i.1732/3.	Cripplegate	<u>Ibid.</u>
Thomas Banks	29.i.1732/3.	St. George's (East)	<u>Ibid.</u>
William Booth	29.i.1732/3.	St. Giles's	<u>Ibid.</u>
Joseph Cole	4.ii.1735/6.	West Smithfield	<u>Ibid.</u> , 10 - 15 December 1735.
Thomas Butler	4.ii.1735/6.	Stepney	<u>Ibid.</u> , 15 - 17 January 1735/6.
Francis Owen	24.v.1736.	Newgate Market	<u>Ibid.</u> , 6 - 11 May 1736.
George Watson	5.vii.1736.	Kent	<u>Ibid.</u> , 10 - 12 June 1736.
Thomas Reynolds	11.viii.1736.	Ledbury	The Morning Post (23 July 1736), for example. Reynolds was a "turnpike Leveller" condemned at King's Bench in a case that was widely reported.
Stephen Philips	11.viii.1736.	Farnham	<u>The Proceedings</u> , 21 - 22 July 1736.
Edward Bonner	27.ix.1736.	Newgate Market	<u>Ibid.</u> , 8 - 13 September 1736.
Edward Row	27.ix.1736.	Dublin	<u>Ibid.</u>
Thomas Dwyer	27.ix.1736.	Ireland	<u>Ibid.</u>
William Rine	2.xi.1736.	Ireland	<u>Ibid.</u> , 13 - 15 October 1736.
James Falconer	3.iii.1736/7.	Dublin	<u>Ibid.</u> , 14 - 17 January 1736/7.

TABLE V CONT.

Name	Date Hanged	Ordinary's Statement	Source of Corroboration and Remarks
Jefferey Morat	3.iii.1736/7.	Guinea	The Proceedings, 16 - 19 February 1736/7.
Henry Bosworway	29.vi.1737.	Clerkenwell	Ibid., 20 - 23 April 1737.
Charles Rogers	29.vi.1737.	Whitechapel	Ibid., 26 - 28 May 1737.
Joseph Hodson	19.vii.1738.	St. Lawrence, Jewry	Ibid., 18 - 20 May 1738.
George Greenaway	19.vii.1738.	Reading	Ibid., 28 June - 1 July 1738.
James Lawler	14.iii.1738/9.	Dublin	Ibid., 21 - 24 February 1738/9.
James Leonard	14.iii.1738/9.	Dublin	Ibid.
John Sawney	7.v.1740.	Ireland	Ibid., 27 February - 1 March 1739/40.
John Singleton	7.v.1740.	Drury Lane	Ibid., 16 - 19 April 1740.
Robert Hunt	18.iii.1741.	Dublin	Ibid., 25 February - 2 March 1740/1.
Katherine Lineham	31.vii.1741.	Dublin	Ibid., 1 - 4 July 1741.
John Stevens	16.ix.1741	Stratford Bow	Ibid., 28 August - 1 September 1741.
Samuel Shuffle	13.i.1741/2.	Shoreditch	Ibid., 4 - 8 December 1741, and St. Leonard, Shoreditch. Register of Burials (1740-1750) Guildhall Library. MS. 7499/6.
Martin Newland	7.iv.1742.	Ireland	Ibid., 24 - 27 February 1741/2.
Bosavern Penlez	18.x.1749.	Exeter	Ibid., 6 - 14 September 1749, and several newspapers and pamphlets for which, see above, pp. chap. xul.
John Stevens	29.iv.1753.	Clerkenwell	Berrow's Worcester Journal, 7 May 1752., refers to Steven's work as a hostler in St. John's Street.

TABLE VZ CONT.

Name	Date Hanged	Ordinary's Statement	Source of Corroboration and Remarks
Maurice Salisbury	1.vi.1752.	Gloucester	<u>Berrow's Worcester Journal</u> , 15 May 1752, speaks of Salisbury as the son of an eminent Gloucester dealer.
James Hanns	21.x.1743.	Paddington	<u>The London Magazine</u> , October 1743, p. 516.
Paul Lewis	4.v.1763.	Ireland	<u>The Gentleman's Magazine</u> , May 1763.
Joseph Dowdell	17.vi.1751.	Ireland	John Poulter, alias "Baxter," <u>The Discoveries</u> ... (London 1754), see also, P.R.O., S.P. 36/123-128, "The Voluntary Information, Examination, and Confession of John Poulter, otherwise Baxter."
James Field	11.ii.1751.	Ireland	<u>Ibid.</u>
John Rogers	20.xii.1731.	Croydon	Surrey Record Society. <u>Surrey Apprenticeships from the Registers in the Public Record Office, 1711-1731</u> , vol. X (London, 1929), number 2202. For a discussion of this register see the text, pp. 362-4.
James Day	25.viii.1743.	Kingston-upon-Thames	<u>Ibid.</u> , number 747.
John Goswell	5.x.1737.	Wimbleton	<u>Ibid.</u> , number 1080.
William Silvester	8.xi.1738.	Southwark	<u>Ibid.</u> , number 2324.
Vincent Davis	30.iv.1725.	Clerkenwell	Robert Hovenden (ed.), <u>A True Register of all the Marriages, Christenings and Burials of St. James, Clerkenwell, vol. VI (1720-1754)</u> , Harleian Society, 1893. p. 48.
Joseph Picken	1.ii.1725.	Clerkenwell	<u>Ibid.</u> , p. 46. Robert Hovenden (ed.), <u>A True Register of all the Marriages, Christenings and Burials, of St. James, Clerkenwell, vol. II, Christenings, 1701-1754</u> (Harleian Society, 1885), p. 9.

TABLE V CONT.

Name	Date Hanged	Ordinary's Statement	Source of Corroboration and Remarks
Henry Bosworway	29.vi.1737	Clerkenwell	Robert Hovenden (ed.), <u>A True Register of all the Marriages, Christenings and Burials of St. James, Clerkenwell, vol. VI, Burials, 1720-1754</u> (Harpesian Society, 1893), p. 167.
George Basset	29.iv.1752.	Clerkenwell	<u>Ibid.</u> , p. 306.
Thomas Perry	13.viii.1727.	Cardiff	<u>Ibid.</u> In London Perry worked as a glass grinder in Clerkenwell.
Edward Brown	13.viii.1727.	Oxford	<u>Ibid.</u> Brown was also a Clerkenwell glass grinder.
Henry Gadd	29.xi.1744.	Clerkenwell	<u>Ibid.</u>
John Frimley	20.ii.1748/9.	Staines	<u>Ibid.</u>
James Arnold	18.x.1749.	Berks	<u>Ibid.</u> Arnold was hostler in St. John's Street.
John Stevens	26.iv.1752.	Clerkenwell	<u>Ibid.</u>
Morris Salisbury	1.vi.1752.	Berks	<u>Ibid.</u>
Jon Hornblow	3.xi.1753.	Clerkenwell	<u>Ibid.</u>
Richard Jones	12.ii.1728.	Shoreditch	St. Leonard Shoreditch. <u>Register of Burials, 1714-1729</u> , Guildhall Library, MS. 7499/4. Jones was buried on the day of his hanging.
Charles Connor	22.ix.1733.	Shoreditch	<u>Ibid.</u> , MS. 7499/5 (1729-1739). Connor was buried on the 25 September.
Jesse Walden	7.iv.1742.	Shoreditch	<u>Ibid.</u> , MS. 7499/6 (1740-1750).
Richard Clay	21.i.1746/7.	Shoreditch	<u>Ibid.</u> He was buried four days after his hanging.

TABLE V CONT.

Name	Date Hanged	Ordinary's Statement	Source of Corroboration and Remarks
John Akers	21.i.1732/3.	London	St. Giles's-in-the-Fields. Parish Church. Burial Register, 1719-1739. Buried on the 29th.
Joseph Blunt	6.x.1733.	Northants	<u>Ibid.</u> Blunt's brother kept a gin shop in St. Giles's-in-the-Fields.
William Howard	2.x.1734.	"Town"	<u>Ibid.</u> Buried on the same day of hanging.
William Phillips	22.ix.1735.	Dublin	<u>Ibid.</u> , and buried the day following his hanging.
William Harrison	5.iii.1732/3.	Holborn	St. Andrew's, Holborn. Register of Burials, 1726-1739, Guildhall Library, MS. 6673/9. See also St. Andrew's, Holborn, Register of Baptisms. 1704-1717, Guildhall Library, MS. 6667/7.
William West	5.iii.1732/3.	Holborn	<u>Ibid.</u> , Register of Baptisms, 1717-1724, Guildhall Library, MS. 6667/8.
Richard Tobin	30.v.1739.	Holborn	<u>Ibid.</u> , and Register of Burials, 1726-1739, Guildhall Library, MS. 6673/9.
John Atkins	25.iii.1751.	Holborn	<u>Ibid.</u> , Register of Burials, 1739-1755, Guildhall Library, MS. 6673/10.
John Fairbrother	29.x.1753.	Holborn	<u>Ibid.</u> , Register of Baptisms, 1724-1739, Guildhall Library, MS. 6667/9.
James Smith	13.iv.1743.	St. Luke's	St. Luke's, Old Street. Burials, 1742-1752. G.L.C.R.O. (County Hall), P76/LUK/75, p. 306.
Henry Burrows	17.ii.1743 4 .	St. Giles's	<u>Ibid.</u> , p. 82.
William Cox	5.x.1744.	St. Luke's	<u>Ibid.</u> , p. 108.

TABLE V CONT.

Name	Date Hanged	Ordinary's Statement	Source of Corroboration and Remarks
Ann Gwyn	7.xi.1744.	St. Luke's	St. Luke's, Old Street. Burials, 1742-1752, G.L.C.R.O. (County Hall), P76/LJK/75, p. 161.
James Leakey	24.xii.1744.	St. Luke's	<u>Ibid.</u> , p. 210.
John Jeffs	9.vii.1745.	St. Luke's	<u>Ibid.</u> , p. 194.
Joseph Lucas	9.vii.1745.	St. Luke's	<u>Ibid.</u> , p. 218.
John Riley	31.vii.1747.	St. Luke's	<u>Ibid.</u> , p. 281.
John Roberts	28.x.1748.	Rye	<u>Ibid.</u> , p. 282.
Edward Busby	26.iii.1750.	Fulham	<u>Ibid.</u> , p. 83.
James Taylor	8.viii.1750.	Aldgate	<u>Ibid.</u> , p. 323.
George Lloyd	3.x.1750.	St. Luke's	<u>Ibid.</u> , p. 215.
Richard Wright	3.x.1750.	Cripplegate	<u>Ibid.</u> , p. 366.
William Wright	3.x.1750.	Cripplegate	<u>Ibid.</u> , p. 366.
Thomas Clements	11.ii.1751.	Cripplegate	<u>Ibid.</u> , p. 95.
Ann Walsam	23.iii.1752.	Manchester	<u>Ibid.</u> , p. 340. She was married to a St. Luke's butcher.
Thomas Huddle	23.iii.1752.	Stepney	<u>Ibid.</u> , p. 186.
Jonathan Burgen	13.vii.1752.	Endfield	<u>Ibid.</u> , p. 80. He lived in Burnhill Row.
Richard Lane	13.vii.1752.	Surrey	<u>Ibid.</u> , p. 207.
Robert Winroe	13.vii.1752.	Holborn	<u>Ibid.</u> , p. 359.

TABLE V CONT.

Name	Date Hanged	Ordinary's Statement	Source of Corroboration and Remarks
John Drinkwater	26.vii.1731.	Plymouth	St. George-in-the-East. Day Book of Burials, 1729-1736. Tower Hamlets. Central Library. No. S/127. He came to London as a youth, serving an apprenticeship in Houndsditch before moving to St. George's.
John Longmore	5.vi.1732.	St. Giles's	Ibid. A boy of the sea, he lived in Aldgate and St. George's.
Patrick Roney	26.iii.1750.	Dublin	Ibid., Day Book of Burials, 1747-1767. Tower Hamlets. Central Library. No. S/128.
Anthony Byrne	31.xii.1750.	Drury Lane	Ibid. A ship's navigator and victualling contractor, he evidently lived in the river parish.
Richard Holland	29.vii.1751.	London	Ibid.
Russel Parnel	13.i.1752.	St. George's	Ibid.
John Winshipp	28.vii.1721.	Covent Garden	St. Paul's, Covent Garden.
Jonathan Thomas	8.xi.1738.	Dublin	Society of Friends, Birth Registers, record the birth of Thomas as 6 January 1697/8. Religious Society of Friends in Ireland, Eustace Street, Dublin.
Lawrence Lee	3.vii.1749.	Ireland	G.L.C.R.O. (Mddx. Div.), Sessions Papers, MJ/SP/35, "The Examination of Lawrence Lee, 26 April 1749."
Peter Murphy	3.vii.1753.	Ireland	Ibid.
James Gallaker	29.x.1753.	Ireland	Ibid.

TABLE V CONT.

Name	Date Hanged	Ordinary's Statement	Source of Corroboration and Remarks
Patrick Hayes	3.vii.1749.	Tottenham	G.L.C.R.O. (Mddx. Div.), Sessions Papers, MJ/SP/36, "The Voluntary Confession of Patrick Hayes, 4 May 1749," states that Hayes was a servant in Tottenham.
John Jeffs	9.vii.1745.	St. Luke's	Corp. Lond. R.O., Sessions Papers, "The Examination of James Bye, 23 May 1745."
Joseph Lucas	9.vii.1745.	St. Luke's	<u>Ibid.</u>
Charles Connor	22.ix.1735.	Shoreditch	John Dawson, Diary 1722-1768, 2 vols. MS. in Shoreditch Library.
Robert Onion	13.ii.1739/40.	London	Lond. Corp. R.O., Sessions Files, 16.i.1739/40.
John Lineham	13.ii.1739/40.	St. Giles's-in-the-Fields	G.L.C.R.O. (Mddx. Div.), MJ/GSR.2730.
Thomas Motte	13.ii.1739/40.	London	Lond. Corp. R.O., Sessions Files, 16.i.1739/40.
John Sawney	7.v.1740.	St. Martin's-in-the-Fields	G.L.C.R.O. (Mddx. Div.), MJ/GSR.2732.
John Singleton	7.v.1740.	St. Giles's-in-the-Fields	<u>Ibid.</u> , MJ/GSR.2735.
John Hyde	7.v.1740.	Hamondsworth	<u>Ibid.</u>
John Moore	7.v.1740.	Hamondsworth	<u>Ibid.</u>
Samuel Badham	6.viii.1740.	St. Giles's-in-the-Fields	<u>Ibid.</u> , MJ/GSR.2740.
John Foster	6.viii.1740.	Cripplegate	Lond. Corp. R.O. Sessions Files, 11.vii.1740.

TABLE X CONT.

Name	Date Hanged	Ordinary's Statement	Source of Corroboration and Remarks
John Clark	6.viii.1740.	born in Lambeth living in Pancras	G.L.C.R.O. (Mddx. Div.), MJ/GSR.2737, states "Pancras."
Eleanor Mumpman	24.xi.1740.	Wapping	<u>Ibid.</u> , MJ/GSR.2745.
William Duell	24.xi.1740.	Acton	<u>Ibid.</u>
Thomas Clack	24.xi.1740.	Whitechapel	<u>Ibid.</u>
Margaret Stanton	24.xi.1740.	St. Martin's-in-the-Fields	<u>Ibid.</u>
Richard Quail	18.iii.1740/41.	St. Clement Danes	<u>Ibid.</u> , MJ/GSR 2747.
Joseph Huddle	18.iii.1740/41.	Stepney	<u>Ibid.</u>

Confirmation of the Ordinary's faithfulness and corroboration of his assertions are made difficult by two other problems. First, while he usually identifies the parish of birth of those born in London, sometimes he is content to say "in Town" or "London." This designation refers to the City of London in some cases (Robert Onion or Thomas Motte for example) and at other times to an extramural parish (as in the case of William Howard). For people born out of London he will specify the town or county of birth but rarely the parish, and this practise presents the greatest obstacle to using parish baptism records for verification. Second, the Ordinary will distinguish between the place of birth and the place of residence at the time the crime was committed, but the most convenient allied source, The Proceedings, does not as a rule make this distinction, and an authoritative source, the indictment bill, refers only to the parish of residence. Burial books in fifty-one cases have confirmed what the Ordinary reported as the place of birth, though in these cases the possibility certainly exists that the people were buried where they lived, not where they were born, despite what the Ordinary said.

Summing up we may say that sources external to the Account do not controvert what the Ordinary asserts, that there

is some independent verification of the facts he reports, and that what he reports he does in good faith and this on the whole is more likely to be true than not. An additional source of confidence in this last point is provided by the Ordinary's practise of recording those instances where the condemned positively refuse to cooperate with him. Of course when discussing individual instances of this refusal to cooperate we have noted it.

Error certainly exists in this section of the Accounts but not deliberate falsification or invention. As we shall be interested mainly in generalizing the evidence provided in individual cases the margin of probable error need not concern us overmuch.

This is a point which affects our assessment of the Ordinary's statement of the age of the condemned, though here the margin of error is somewhat greater. We have found external sources that compare with the Ordinary's statement of the age of the condemned in thirty-nine cases. In thirteen of these cases (33%) the Ordinary's report is confirmed to the year; in nineteen of them (49%) it is wrong; and in seven cases (18%) it is vague or ambiguous. The vagueness arises from the burial books of St. Luke's, Old Street. There the ages of John Riley, James Taylor

and Richard Lane are described as "youths" which compares favourably but imprecisely with the ages supplied by the Ordinary, seventeen, twenty, and seventeen respectively. An ambiguity arises from the information contained in a Surrey apprenticeship list. In four cases this supplies the date that the apprenticeship indenture was signed which when compared to the Ordinary's estimate of age at death provides the age at the time the indenture was signed. For example, John Rogers was nineteen when he was hanged in 1731 and his indenture was signed in 1726. Thus he was fourteen years old at that time, plausible enough.

The cases of error, almost one half of the sample, requires closer examination. The magnitude of error is small. In twelve of the nineteen cases it is only a year off suggesting that some may not have been errors but the result of a differential between the month of birth and that of death. In three cases the Ordinary's report is mistaken by two years; in one case it's off by three years; in two cases mistaken by four years; and one case off by seven years, the only really large error in the thirty-nine cases. We cannot know the source of these errors, though it is doubtful that it lies with the Ordinary: forgetfulness, ignorance, or deception on the part of the condemned would

TABLE VI

CORROBORATION OF THE ORDINARY'S ACCOUNT: THE AGE OF THE HANGED

Name	Date Hanged	Ordinary's Statement	Source of Corroboration and Remarks
John Winshipp	28.vii.1721.	22	St. Paul's, Covent-Garden. <u>Burials</u>
John Rogers	20.xii.1731.	19	Surrey Record Society. Surrey Apprenticeships from the Registers in the Public Record Office 1711 - 1731. Vol. X (London, 1929). Number 2202. The indenture and counterpart was signed, 5 April 1726, making Rogers fourteen at that time.
James Day	25.viii.1743.	35	<u>Ibid.</u> , Number 747. Day's common indenture was signed 11 July, 1721, making him 13 years old at the time.
John Goswell	5.x.1737.	24	<u>Ibid.</u> , Number 1080. The common indenture was signed 13 October 1724 making Goswell 11 years old at the time.
Wm. Silvester	8.xi.1738.	24	<u>Ibid.</u> , Number 2324. His indenture was signed 13 September 1731 making him 17 at the time.
John Drinkwater	26.vii.1731.	18	St. George-in-the-East. Day Book of Burials 1729-1736. Tower Hamlets. Central Library. No. S/127. His age at death is entered as 19.
John Longmore	5.vi.1732.	20	<u>Ibid.</u> , where the age at death is 19.
Patrick Roney	26.iii.1750.	23	<u>Ibid.</u> , Day Book of Burials 1747-1767. Tower Hamlets. Central Library. S/128. Age at death 26.
Anthony Byrne	31.xi.1750.	36	<u>Ibid.</u> , age at death is 37.
Richard Holland	29.vii.1751	29	<u>Ibid.</u> , age at death is 28.
Russel Parnel	13.i.1752.	25	<u>Ibid.</u> , age at death is 24.

TABLE ~~V~~^{VI} CONT.

Name	Date Hanged	Ordinary's Statement	Source of Corroboration and Remarks
John Riley	31.vii.1747.	17	St. Luke's, Old Street. Burials, 1742-1752. G.L.C.R.O. (County Hall). P76/LUK/75, p. 281. which describes Riley as a "youth."
James Taylor	8.viii.1750.	20	<u>Ibid.</u> , p. 323, describes Taylor: "youth."
Richard Lane	13.vii.1752.	17	<u>Ibid.</u> , p. 207, describes Lane: "youth."
George Weedon	12.ii.1727/8.	22	St. Leonard, Shoreditch. Register of Burials, 1714-1729. Guildhall Library. MS. 7499/4. which enters Weedon's age as 22 on the day of his burial.
Charles Connor	22.ix.1735.	37	<u>Ibid.</u> , Register of Burials 1729-1739. Guildhall Library. MS. 7499/5. enters his age at burial as 37.
Samuel Shuffle	13.i.1741/2.	28	<u>Ibid.</u> , Register of Burials 1740-1750. Guildhall Library. MS. 7499/6. enters his age at burial as 30.
Jesse Walden	7.iv.1742.	27	<u>Ibid.</u> , enters his age at burial as 23.
Richard Clay	21.i.1747.	28	<u>Ibid.</u> , enters his age at burial as 28.
Joseph Picken	1.ii.1725.	24	Robert Hovenden (ed.), A True Register of all Marriages, Christenings and Burials. St. James, Clerkenwell, Vol. II, Christenings 1701-1754 (Harleian Society, 1885.), p. 9. Picken was born 23 October and Christened 5 November 1702.
Henry Bosworway	29.vi.1737.	27	<u>Ibid.</u> , Vol. VI, Burials 1720-1754, p. 167 enters his age at burial as 25.
John Prior	7.xi.1750.	23	<u>Ibid.</u> , Vol. II, Christenings 1701-1754, p.174. dates Prior's Christening 23 June 1728.

TABLE VI CONT.

Name	Date Hanged	Ordinary's Statement	Source of Corroboration and Remarks
Thomas Raby	8.xi.1738.	24	Robert Hovenden (ed.), <u>A True Register of all Marriages, Christenings and Burials. St. James, Clerkenwell, Vol. II, Christenings 1701-1754</u> (Harleian Society, 1885), p. 92., which shows the date of his Christening as 8 February 1715/6.
George Basset	29.iv.1752.	21	<u>Ibid.</u> , Vol. VI, <u>Burials 1720-1754</u> , p. 306, enters the age of Basset at death as 21.
John Stevens	29.iv.1752.	24	<u>Ibid.</u> , enters his age at death as 25.
John Exelby	17.vi.1747.	28	<u>Ibid.</u> , Vol. II, <u>Christenings 1701-1754</u> (Harleian Society, 1885), p. 108, shows the date of his Christening as 28 January 1718/9.
George Taylor	3.x.1750.	18	<u>Ibid.</u> , p. 208, showing that Taylor was born on 15 June 1733 and was Christened 8 July 1733..
Wm. Harrison	5.iii.1732/3.	22	St. Andrew's, Holborn. <u>Register of Baptisms 1704-1717</u> . Guildhall Library, MS 666777, shows that Harrison was born 16 December 1711.
William West	5.iii.1732/3.	16	<u>Ibid.</u> , <u>Register of Baptisms 1717-1724</u> . Guildhall Library, MS. 666778, showing that West was baptized 24 November 1717.
Richard Tobin	30.v.1739.	21	<u>Ibid.</u> , shows that Tobin was baptized 11 October 1718.
James Fairbrother	29.x.1753.	25	<u>Ibid.</u> , <u>Register of Baptisms 1724-1739</u> , Guildhall Library, MS 666779, which shows that Fairbrother was baptized 30 October 1728.
Jonathan Thomas	8.xi.1738.	42	Friends Historical Library. Dublin. The birth registers show that Thomas was born 6 January 1697/8.

TABLE VI CONT.

Name	Date Hanged	Ordinary's Statement	Source of Corroboration and Remarks
William Wager	4.iii.1736/7.	23	Robert Hovenden (ed.), A True Register of all Marriages, Christenings and Burials. St. James, Clerkenwell, Vol. VI, Burials 1720-1754 (Harleian Society, 1893) where his age at death is put at 22.
Henry Gadd	29.xii.1744.	14	<u>Ibid.</u> , at death his age is 15.
John Frimley	20.ii.1748/9.	31	<u>Ibid.</u> , puts his age at death as 27.
James Arnold	18.x.1749.	40	<u>Ibid.</u> , puts his age at 40.
Morris Salisbury	1.vi.1752.	27	<u>Ibid.</u> , writes his age as 20 at death.
Job Hornblow	3.xii.1753.	21	<u>Ibid.</u> , which confirms his age at 21.
Edward Wentland	22.v.1732.	66	<u>The Proceedings</u> , 19 - 22 April 1732.

seem to be more likely. The significance that we attach to the age of condemned individuals does not play an important role in our study where we are interested in general comparisons: the ages of men and women, those born in and out of London, and the age specific characteristics of the condemned. Where we do refer to the ages of specific malefactors it of course should be borne in mind that a margin of error is likely, though this be of only a year or so.

The account of the apprenticeships and work histories of the condemned is most difficult to authenticate from external sources. In seventy-nine cases we have confirmed by sources external to the Ordinary's Account his description of the working experiences, or an aspect of them, of the condemned and these are summarized in Table VII, "Corroboration of the Ordinary's Account: The Occupations of the Hanged." In about two thirds of these cases the testimony of witnesses as reproduced in The Proceedings was the source of corroboration: in some of the cases the testimony was precise referring for example to particular regiments in which a veteran fought, in other cases the corroboration is vague, "country work" being one such imprecise designation that appears from time to time. In eleven cases newspaper

and magazines provided a brief, often single word confirmation of the Ordinary's report. In six cases parochial burial books corroborate the Ordinary's description. Three judicial examinations and one confession verify the Ordinary's report of occupations in five cases. A customs officer's diary confirmed an occupation in one case. A Surrey apprenticeship list confirmed four.

It is difficult to discover a systematic method of verifying the Ordinary in this aspect of the Account. Technical difficulties of historical evidence are symptomatic of actual historical themes: where there are no clues that too is evidence. The problem^{of} work relations, apprenticeship, job mobility, and job description is especially difficult in the eighteenth century, and we are not surprised to find this reflected in the types of sources for studying the problem. What light our own study throws on this subject is reflected in chapter 8 where we discuss the substance of our findings, and not here where we wish to justify the source of them. Nevertheless, a few words are in order.

We may take the problem of apprenticeship as a case in point. An Act of Parliament in Queen Anne's reign

(8 Anne c. 5) imposed a duty of six pence in the pound on every sum of fifty pounds or under and a shilling in the pound on larger sums on all apprenticeship premiums. The surviving registers located in the Public Record Office of this tax are arranged chronologically in seventy-nine volumes. The Surrey Record Society has published a volume which abstracted all Surrey apprenticeships from them between 1711 and 173¹₁. The introduction to the volume warns that there was "a great deal of evasion" in paying the tax. Nevertheless, it happens that those malefactors born and apprenticed in Surrey for whom we have record in the Ordinary's Accounts have their indentures recorded in this volume. In other cases our searches have not produced such a remarkable result. Thus two of the condemned were born in Birmingham and apprenticed there: James Lacy to a button maker and Thomas Pinks to a house carpenter. Yet the Birmingham apprentice list contains neither of their names. We cannot infer from this that the Ordinary invented the facts nor that Lacey or Pinks deliberately misled him:

¹ Surrey Record Society. Surrey Apprenticeships from the Registers in the Public Record Office, 1711-1731, Surrey Record Society Publications, x, (London 1929).

TABLE VII

CORROBORATION OF THE ORDINARY'S ACCOUNT: THE OCCUPATIONS OF THE HANGED

Name	Date Hanged	Ordinary's Statement	Source of Corroboration and Remarks
Charles Connor	22.ix.1735.	sawyer	John Dawson, Diary 1722-1768, 2 vols., entry for 31 August 1735. MS. in Shoreditch Library.
Richard Whiting	6.xi.1723.	servant & footman	The Proceedings, 16 - 18 October 1723.
James Mackey	6.xi.1723.	butcher	<u>Ibid.</u>
Edward Joyce	29.iv.1724.	sawyer	<u>Ibid.</u> , 15 April 1724.
Anthony Walraven	28.viii.1724.	watchmaker	<u>Ibid.</u> , 8 - 10 July 1724.
Benjamin Jones	14.iii.1725/26.	vintner & publican	<u>Ibid.</u> , 2 - 7 March 1725/6.
Peter Boother	18.ix.1727.	"country work"	<u>Ibid.</u> , 30 August - 1 September 1727, states that Boother kept chickens and went hay making in season.
John Hornby	20.v.1728.	joiner	<u>Ibid.</u> , 1 - 7 May 1728.
George Wych	8.iii.1730/1.	well educated	<u>Ibid.</u> , 24 - 25 February 1730/1.
Robert Cooper	16.vi.1731.	victualler	<u>Ibid.</u> , 2 - 4 June 1731.
Thomas Clarkson	26.vii.1731.	Journeyman carpenter	<u>Ibid.</u> , 14 - 17 July 1731.
Robert Irwin	24.ix. 1731.	veteran of military campaigns in Flanders	<u>Ibid.</u> , 8 - 9 September 1731.
George Mason	20.xi.1731.	weaver	<u>Ibid.</u> , 13 - 15 October 1731.
Edward Wentland	22.v.1732.	grenadier in Flanders & seaman in East Indies	<u>Ibid.</u> , 19 - 20 April 1732.

TABLE VII CONT.

Name	Date Hanged	Ordinary's Statement	Source of Corroboration and Remarks
Daniel Tipping	9.viii.1732.	poulterer	<u>The Proceedings</u> , 5 - 8 July 1732.
Viner White	9.x.1732.	stove maker	<u>Ibid.</u> , 6 - 11 September 1732.
James Powis	16.x.1732.	locksmith	<u>Ibid.</u>
Wm. Macklaughlane	29.i.1733/4.	servant & veteran of the Irish regiment in France	<u>Ibid.</u> , 11 - 13 October 1733.
Burton Brace	4.ii.1735/6.	vintner & drawer	<u>Ibid.</u> , 10 - 15 December 1735.
George Ward	24.v.1736.	joiner	<u>Ibid.</u> , 6 - 11 May 1736.
Francis Owen	24.v.1736.	servant, Bell Inn	<u>Ibid.</u>
George Watson	5.vii.1736.	"Country work"	<u>Ibid.</u> , 10 - 12 June 1736.
John Maxworth	11.viii.1736.	knife sharpener & errand boy	<u>Ibid.</u> , 21 - 22 July 1736.
Edward Bommer	27.ix.1736.	butcher	<u>Ibid.</u> , 8 - 13 September 1736.
Thomas Dwyer	27.ix.1736.	apprenticed to no trade	<u>Ibid.</u>
William Rine	2.xi.1736.	veteran of the Irish regiment in France	<u>Ibid.</u> , 13 - 15 October 1736.
Peter Cross	3.iii.1736/7.	drover & higgler	<u>Ibid.</u> , 8 - 13 December 1736.
James Falconer	3.iii.1736/7.	veteran of the Irish regiment in France	<u>Ibid.</u> , 14 - 17 January 1736/7.
William Wager	3.iii.1736/7.	butcher	<u>Ibid.</u> , 8 - 13 December 1736.

TABLE VII CONT.

Name	Date Hanged	Ordinary's Statement	Source of Corroboration and Remarks
Henry Bosworway	29.vi.1737.	sawyer	<u>The Proceedings</u> , 20 - 23 April 1737.
Charles Rogers	29.vi.1737.	coalheaver	<u>Ibid.</u> , 26 - 28 May 1737.
Richard Harper	29.vi.1737.	patten maker	<u>Ibid.</u> , 20 - 23 April 1737.
John Simmonds	29.vi.1737.	cooper	<u>Ibid.</u> , 26 -28 May 1737.
John Goswell	5.x.1737.	butcher	<u>Ibid.</u> , 6 - 9 July 1737.
George Greenaway	19.vii.1738.	bargeman	<u>Ibid.</u> , 28 June - 1 July 1738.
- Bolingbroke	22.xii.1738.	weaver	<u>Ibid.</u> , 6 - 9 December 1738.
John Masland	14.iii.1738/9.	sailor	<u>Ibid.</u> , 17 - 20 January 1738/9.
William Udall	14.iii.1738/9.	watchmaker	<u>Ibid.</u> , 21 - 24 February 1738/9.
Henry Johnson	14.iii.1738/9.	bricklayer	<u>Ibid.</u>
Abraham Wells	30.v.1739.	butcher	<u>Ibid.</u> , 2 - 5 May 1739.
William Carey	2.vii.1739.	sailor	<u>Ibid.</u> , 7 - 9 June 1739.
Andrew Macmanus	4.v.1741.	market porter	<u>Ibid.</u> , 8 - 10 April 1741.
Francis Horton	12.vi.1741.	Gentleman's servant	<u>Ibid.</u> , 14 - 16 May 1741.
John Lupton	12.vi.1741.	inn & punch house servant	<u>Ibid.</u>
Richard Baker	12.vi.1741.	attorney's clerk	<u>Ibid.</u>
Thomas Birch	18.iii.1740/1.	higgler	<u>Ibid.</u> , 25 February - 2 March 1740/1.

TABLE VII CONT.

Name	Date Hanged	Ordinary's Statement	Source of Corroboration and Remarks
John Gulliford	13.i.1741/2.	sailor	<u>The Proceedings</u> , 14 - 16 October 1741.
Christopher Jordan	7.iv.1742.	errand boy and fruit seller	<u>Ibid.</u> , 15 - 19 January 1741/2.
Alexander Afflack	7.iv.1742.	tavern servant	<u>Ibid.</u> , 24 - 27 February 1741/2.
Patrick Kelley	13.iv.1743.	labourer and haymaker	<u>Ibid.</u> , 14 - 19 January 1742/3.
John Potbury	24.xi.1744.	sailor	<u>Ibid.</u> , 5 - 10 December 1744.
Mary White	7.vi.1745.	ballad singer	<u>Ibid.</u> , 25 - 27 April 1745.
Bosavern Penlez	18.x.1749.	barber & peruke maker, later, a London servant	<u>Ibid.</u> , 6 - 14 September 1749, and the sources quoted in the text, pp.
John Rogers	20.xi.1731.	a packer in Coleman Street	Surrey Record Society. <u>Surrey Apprenticeships from the Registers in the Public Record Office, 1711 - 1731</u> , vol. X (London, 1929), number 2202. For a discussion of this source, see the text pp. 290. The indenture states that Roger's master was a "Cit. and Clothworker," but the <u>Proceedings</u> , 13 - 15 October 1731, records his master's testimony: "I am a Packer by Trade. Rogers is my Apprentice and has served me 5 Years and a half."
James Day	25.viii.1737.	butcher and leather seller	Surrey Record Society, <u>ibid.</u> , number 747.
John Goswell	5.x.1737.	butcher	<u>Ibid.</u> , number 1080.
William Silvester	8.xi.1738.	cooper	<u>Ibid.</u> , number 2324.
James Hamns	21.x.1743.	inn keeper	The London Magazine, October 1743, p. 516, refers to Hamns as the former keeper of "The Rose & Crown," Paddington.

TABLE ~~VII~~ CONT.

Name	Date Hanged	Ordinary's Statement	Source of Corroboration and Remarks
Benj. Beckenfield	31.xii.1750.	coalheaver	G.L.C.R.O. (Mddx. Div.), Sessions Papers, MJ/SP/125, "The Information of Luke Ball, 15 August 1750."
James Field	11.ii.1751.	sailor	<u>Ibid.</u> , MJ/SP/131, "The Information of John Bonen," 20 July 1749.
Anthony Whittle	30.x.1750.	sailor	<u>Ibid.</u>
Patrick Hayes	3.vii.1749.	servant	<u>Ibid.</u> , MJ/SP/36, "The Voluntary Confession of Patrick Hayes, 4 May 1749."
Joseph Lucas	9.vii.1745.	helps chimney sweep	Corp. Lond. R.O., Sessions Papers, Bundle 1745, "The Examination of James Bye, 23 May 1745."
Edmund Gilbert	7.vi.1745	weaver	<u>The London Magazine</u> , April 1745, p. 204.
Jacob Cordosa	17.ii.1743/4.	a receiver	<u>Ibid.</u> , August 1743, p. 412.
Matthew Lee	11.x.1752.	public house servant	<u>The Worcester Journal</u> , 19 October 1752.
Paul Lewis	4.v.1763.	sailor	<u>The Gentleman's Magazine</u> , May 1763.
John Weskett	9.i.1765	servant	<u>Ibid.</u> , January 1765, p. 16 - 19.
Thomas Parker	1.ii.1724/5.	tavern drawer	<u>Weekly Journal and British Gazetteer</u> , 6 February 1724/5, and <u>The Weekly Journal and Saturday Post</u> , 6 February 1724/5.
Joseph Picken	1.ii.1724/5.	tavern drawer	<u>Ibid.</u>
Foster Snow	3.xi.1725.	victualler	<u>Mist's Weekly Journal</u> , 6 November 1725.

TABLE VII CONT.

Name	Date Hanged	Ordinary's Statement	Source of Corroboration and Remarks
Richard Cooper	14.v.1731.	servant in an apothecary's shop	<u>Reade's Weekly Journal</u> , 15 May 1731.
John Stevens	29.iv.1752.	bred as a butcher in Wanstead; worked as a St. John's St. hostler at time of hanging	<u>Berrow's Worcester Journal</u> , 7.v.1752.
John Drinkwater	26.vii.1731.	glass sander	St. George-in-the-East. <u>Day Book of Burials</u> 1729-1736, Tower Hamlets. Central Library. No. S/127. Drinkwater's occupation is here listed as an hourglass maker.
John Longmore	5.vi.1732.	went to sea; worked on the river	<u>Ibid.</u> , "Mariner."
Patrick Roney	26.iii.1750.	sailor	<u>Ibid.</u> , <u>Day Book of Burials</u> 1747-1767. Tower Hamlets. Central Library. No. S/128. "Mariner."
Anthony Byrne	31.xii.1750.	cordwainer	<u>Ibid.</u>
Richard Holland	29.vii.1751.	waterman	<u>Ibid.</u>
Russel Parnel	13.i.1752.	rope maker	<u>Ibid.</u>

in the eighteenth century the juridical system of apprenticeship bore little relation to actual apprenticeship practise, and this was particularly true in London.

We must stress that Table 7, presents corroboration of only one aspect of the working experiences of the condemned as the Ordinary reported them. These experiences were characterized by both geographical and occupational mobility. A man might be a butcher, or a woman a needle worker, and many other things besides. It was in the nature of some work to be casual or seasonal. And it was the practise of many of the eighteenth century labouring poor to shift about. This makes it difficult to verify the occupational history of any single of the malefactors in its totality with the exception of some well publicized felons (as Bosavern Penley) or of some others, like James Hardy Vaux, whose autobiography is at once excellently detailed and authenticated.¹ Table 7 therefore must be read as incomplete: it indicates only the types of external verification that are possible and does not attempt to be exhaustive.

¹ Noel McLachlan (ed.), op. cit.

Table VIII, "Corroboration of the Ordinary's Account: Miscellaneous Facts about the Hanged," records eleven instances where the Ordinary's statement about the religion of the condemned is confirmed by external evidence, fourteen cases where a felon's alias is confirmed, and six instances where the felon's reputation as a particular type of criminal was confirmed. In all of these categories the instances could be expanded, especially in the last. The further exemplification of what must now be clear becomes tedious and pedantic: the Ordinary of Newgate in his short biographies of the condemned reported what the malefactors reported to him and this was usually the truth.

We have seen in the last chapter several instances of cases where the condemned refused to cooperate with the Ordinary. Often the men and women refuse to confess to their crimes because this would lend legitimacy to the judicial process that hanged them or because to do so would endanger the lives of others. They will talk: either to God or to the people who come to their hanging but not to the Ordinary. A few say nothing to anyone not caring to have their character "blasted."¹ In a very few cases we

¹ ~~See above, pp.~~

TABLE VIII

CORROBORATION OF THE ORDINARY'S ACCOUNT: MISCELLANEOUS FACTS ABOUT THE HANGED

Name	Date Hanged	Ordinary's Statement	Source of Corroboration and Remarks
Jonathan Thomas	8.xi.1738.	Quaker	Friend's Historical Library. Dublin. Birth Registers, 6 January 1697/8.
John James	14.iii.1721/2.	al. "John the Grinder"	The Proceedings, 28 February - 3 March 1721/2.
Samuel Johnson	20.xi.1727.	al. "Cabbage"	Ibid., 17 - 19 October 1727.
Margaret Wallis	27.iii.1727/8.	al. "Stamming"	Ibid., 28 February - 5 March 1727/8.
Richard Trap	14.v.1731.	al. "Blue Dick"	Ibid., 28 - 30 April 1731.
James Johnson	9.x.1732.	al. "Drew"	Ibid., 6 - 11 September 1732.
Wm. Macklaughlane	29.i.1732/3.	Roman Catholic	Ibid., 11 - 13 October 1733.
George Watson	5.vii.1736.	Kentish agricultural work is a 'blind' for smuggling	Ibid., 10 - 12 July 1736.
Edward Row	27.ix.1736.	Roman Catholic	Ibid., 8 - 13 September 1736.
Thomas Dwyer	27.ix.1736.	Roman Catholic	Ibid.
William Rine	2.xi.1736.	Roman Catholic	Ibid., 13 - 15 October 1736.
William Wager	3.iii.1736/7	al. "Cocky"	Ibid., 8 - 13 December 1736.
John Goswell	5.x.1737.	al. "Bob the Butcher"	Ibid., 6 - 9 July 1737.
Joseph Hodson	19.vii.1738.	al. "Johnson"	Ibid., 18 - 20 May 1738.

TABLE VIII CONT.

Name	Date Hanged	Ordinary's Statement	Source of Corroboration and Remarks
James James	14.iii.1738/9.	al. "Jemmy the Drummer"	<u>Ibid.</u> , 17 - 20 January 1738/9..
Katherine Linehan	31.vii.1741.	Roman Catholic	<u>Ibid.</u> , 1 - 4 July 1741.
Martin Newland	7.iv.1742.	Roman Catholic	<u>Ibid.</u> , 24 - 27 February 1741/2.
Abraham Pass	21.xi.1743.	Jew	<u>Ibid.</u> , 12 - 14 October 1743.
John Potbury	24.xii.1744.	al. "Jack the Sailor"	<u>Ibid.</u> , 5 - 10 December 1744.
Mary White	7.vi.1745.	al. "Mary Cut and Come Again"	<u>Ibid.</u> , 25 - 27 April 1745.
Bosavern Penlez	18.x.1749.	son of a Church of England Divine	see sources listed in the text, see <u>sup. Xul.</u>
Joseph Dowdell	17.vi.1751.	Roman Catholic	John Poulter, alias "Baxter," "The Discoveries... (London, 1754), and P.R.O., S.P. 36/123-128, "The Voluntary Information, Examination, and Confession of John Poulter, alias Baxter."
James Field	11.ii.1751.	Roman Catholic	<u>Ibid.</u>
Benj. Beckenfield	31.xii.1750.	al. "Ben the Coalheaver"	"G.L.C.R.O. (Mddx. Div.), Sessions Papers, MJ/SP/125, "The Information of Luke Ball, 20 July 1749."
Lawrence Lee	3.vii.1749.	a well practised highwayman, especially on the northern roads of London	<u>Ibid.</u> , MJ/SP/35, "The Examination of Lawrence Lee, 26 April 1749."
Peter Murphy	3.vii.1749.	long time a highwayman on London's northern roads	<u>Ibid.</u>
James Callaker	29.x.1753.	as above	<u>Ibid.</u>

TABLE VIII CONT.

Name	Date Hanged	Ordinary's Statement	Source of Corroboration and Remarks
Edward Busby	26.iii.1750.	long time street robber in Westminster	G.L.C.R.O. (Mddx. Div.), Sessions Papers, MJ/SP/39, "The Voluntary Confession of John Stanton, alias John the Trickster."
William Russell	26.iii.1750.	as above; alias "Captain Flash."	<u>Ibid.</u>
George Hailey	29.x.1753.	professional street robber	<u>Ibid.</u> , MJ/SP/14, "Letter of George Hailey to Mr. Carpenter, October 1753."
Mary Burton	12.ix.1726.	alias, "Ravenscroft;" formerly Johnathan Wild's maid servant; specialist in robbing clothing shops	Corp. Lond. R.O., Sessions Papers, Bundle for 1726, "The Examination & Confession of Mary Burton, 7 July 1726."

learn that the Ordinary recorded the last remarks of the condemned and then checked his text with the condemned before they were hanged. The clergyman who took down the last words of the Waltham Blacks hanged at Tyburn followed this practise: "after having read what each call'd his Dying Speech, to which frequent Amendments being made, two of them set their respective Marks thereunto, and one of them his Hand."¹ But there's no indication that this was standard practise. We recall Paul Lorrain's remark about the pick pocket who refused to have his life tagged by one of the Ordinary's little homilies: "Such case harden'd Rogues as you would Ruin the Sale of my Paper."² Some of the condemned just did not regard themselves as sinners but as casualties to laws that others had made. From their point of view, therefore, to have the last words you speak on earth messed about for the mediocre purposes of the Ordinary's moralizing was an offense justifying silence to his nagging questions.

Sometimes, then, the Ordinary had nothing to report. But this was not often: a dozen or so cases in a thousand.

¹ Anon., The History of the Blacks of Waltham in Hampshire (1723), p. 31. ~~See also above, page~~ .

² See above, p. 186

In these cases the objections that prisoners made were to those sections of the Account that assessed the malefactor's life and deeds, not to the important third section which recorded the bare bones of biography. But even in the section containing the extended narratives the picture is complicated, and it is to them that we may now proceed.

3. Extended Narratives About the Hanged. As short prose narratives they share some common characteristics. They minimize the repenting tone that appears elsewhere in the Accounts. When they mention formula apologies at all, they are separated in the form of a prologue from the body of the narrative and are sharply distinct from it in style. They provide a chronological account of the crimes committed, catalogued as discrete episodes without an exterior framework of life or work that might place them in a casual order. They are characterized by a great crowding of local detail about each theft: the time of day, the place, the dangers, the others involved (though, unlike pretrial depositions, without naming the others), and, perhaps with most care, an itemization of the goods stolen with their value. The narratives share with all types of eighteenth century 'criminal lives' some common rhetorical devices. Thus they are embroidered with canting terms (self-consciously

translated) and embellished with short digressions explaining the technique of particular types of thieving or "lays".

Despite the appearance that these narratives are identical in form with some fictional accounts of the careers of thieves, total scepticism about them is unwarranted, and it would be foolish to reject them as historical sources of knowledge. To invent them would presuppose an imaginative power quite inconsistent with the moralistic blinders the Ordinary displays in other parts of the Account. The care for detail, the enjoyment in exposing techniques, and the absence of a repentant tone integrated with the narrative all point to a different author than the Ordinary. Fortunately, we need not rely only upon the conjectures of internal inconsistencies in style to reject the claim that these narrative sections were fabricated. Enough external evidence exists for us to conclude that (at least) each narrative must be carefully assessed upon its merits. Where exaggeration, error or embellishment exist, we can attribute these less to the creative talents of the Ordinary than to his credulity (or generosity) in accepting the bravado or self-deceptions of the men and women speaking their last words.

Let us examine two of these narratives.

Between pages five and thirteen of the Ordinary's Account of 18 March 1740/41 there is transcribed "A Particular Account of the Transactions of Mary Young, alias Jenny Diver, &c. &c." Longer than most "Transactions" included in other Accounts and describing an especially well-know malefactor, nevertheless, the problems of independent verification it poses are common to all the narratives of this type that appeared in the Account.¹ It begins with first person narration as though autobiographic, expressing remorse ("But Oh! that they felt the Racks and Tortures I now do!") and warning ("I do sincerely hope that my untimely Exist may be a Warning to all unhappy Persons, and that they would take Example by me, and shun the fatal Rock on which I split."). Then with the actual description of the transactions of her life the narration shifts to the third person who, it is clear, based the writing upon conversations with Mary Young. Internal evidence such as this inconsistency in the narrator does not advance us much on the point of authentication.

¹ Although the "Transactions" assert that Mary Young had begun her career as a pick pocket in 1727 there is no reason that I've found to believe that Gay used her alias for his character in The Beggar's Opera (1728); "diver" was at least a century old in its cant meaning of "pick pocket." See Partridge, A Dictionary of the Underworld, third edition (1968). Mary Young finds her place in most "Newgate Calendars: see for instance J.L. Raynor and G.T. Cook (eds.), The Complete Newgate Calendar (London, 1926), Vol. iii, pp. 102-108, and William McAdoo, The Procession to Tyburn: Crime and Punishment in the Eighteenth Century (New York, 1927).

External evidence, however, does exist. The principle judicial facts of the narrative are confirmed by The Proceedings at her trial. Thus the indictment and sentence described in the "Transactions" are verified in The Proceedings.¹ Three years earlier according to the "Transactions" Mary Young was tried under the alias "Jane Webb" for pocket picking and was sentenced to seven years transportation, a fact which The Proceedings verifies. Furthermore, one of the witnesses against her at that trial testified that he had seen her pick twenty pockets that day and had known her to have been a pick pocket for at least five years past.²

Those parts of the "Transactions" that will interest us particularly, however, will be such that the judicial records cannot verify them. We have in mind such matter as her journey from Ireland to England, her progression from novice to leader as a pick pocket, her travels around London, Bath and the country fairs, the oaths that members of her gang took to protect one another, and (what is emphasized several times) the importance that she placed upon "the Cant Language" or "the Cant Tongue." The appearance

¹ 16-20 January 1740/41.

² The Proceedings, 12-15 April 1738.

of cant terms in the "Transactions" provides another possibility for the partial verification of the document by reference to external sources.

All new members of her gang "shall be instructed at convenient Seasons in the Cant Tongue, so that they may speak intelligibly to nobody but the Gang." As its purpose is entirely restricted to spoken speech there will always be something self-conscious about the use of cant in published sources whether these appear in authentic contexts like the Ordinary's Account or The Proceedings or in patently literary contexts as in dramas and novels. When Thomas Shadwell employs cant terms in "The Squire of Alsatia" or Fielding in Mr. Jonathan Wild a reader recognizes several purposes and conventions at work. In the former work the employment of cant is a conventional type of low wit, and it is manipulated throughout the play as a verbal analogue to the moral degeneracy of a leading character.¹ In the inverted moral world of Mr. Jonathan Wild cant is an adequate

¹ The learning of cant corresponds to the progressive estrangement of Jevon Belfond from his father, "A Gentleman of above £3000^l. per annum, "and to his successive descent in social rank. See Montague Summers (ed.), The Complete Works of Thomas Shadwell (1927), Vol. iv. Also, Albert S. Borgman, Thomas Shadwell: His Life and Comedies (New York, 1928), p. 211.

means to convey the criminality of politics and the obscurity of corruption and little effort is made in its employment to be consistent.¹ In authentic contexts, like the Account or The Proceedings, it is expected that the reader will accept the lexicon but at the same time, that it requires explanation. Thus in The Proceedings a footnote is provided by the editor when a cant term is employed; in a judicial deposition the deponent will define such terms as they are used.² In Mary Young's "Transactions" cant is employed in this second way: it purports to represent actual speech for no purpose except that appropriate to it.

Could the Ordinary have composed Mary Young's "Transactions"? It is unlikely. If there is anything that the employment of cant adds to the piece it is a tone of satisfaction, even of professional pride: the narrator clearly enjoys it and the recollected episodes that it describes. Even if not composed by Mary Young, the narrator had close contact with her. Had the narrator been the Ordinary we would expect to find cant expressions either

¹ J.H. Plumb has said of the novel that it presents "a straightforward portrait of London low life," a judgment that should not be accepted. Fielding will tell us that "buttock and file" means a shoplifter when in all other 18th century sources it means a prostitute and pickpocket working together in well-defined ways. See H. Fielding, Mr. Jonathan Wild, with a "Forward" by J.H. Plumb (New York, 1962).

² For the use of cant in a deposition, see that by James Bye transcribed on pp. 783 . For an example of cant used during a trial see the trial of Henry Simms in The Proceedings, 30-31 May 1745.

entirely suppressed or heavily guarded by his own moral intrusions. Had he actually invented the material we would expect a general correspondence between the cant terms of the "Transactions" and those of earlier, published glossaries. Accused of bad grammar and poor taste, with novelty he was never charged: it would be highly unlikely to expect from him so many cant neologisms.

A comparison between the eighteen cant terms found in Mary Young's "Transactions" with those of earlier cant glossaries reveals minimal correspondence. The table below compares the cant terms of the "Transactions" to three earlier sources and one later one. "B.E.," The Canting Crew (1698), Charles Hitchin, The Regulator (1718), and the anonymous A New Canting Dictionary (1725) are the fullest glossaries published recently before 1741. In addition we have included the 1742 edition of Select Trials because its incomplete summary of Mary Young's "Transactions" provides the basis for the inclusion of nine of these terms in Partridge's dictionary.¹ Of the eighteen cant terms found in the "Transactions," eleven are published for the first time.

¹ Full bibliographical information of the 1742 Select Trials can be found below, pp. 204-5. Three of the terms appear in none of these contemporary sources and (as he did not consult Mary Young's "Transactions") therefore not in Partridge, A Dictionary of the Underworld, third edition (1968).

TABLE IX

THE CANT TERMS APPEARING IN JENNY DIVER'S "TRANSACTIONS"
 COMPARED TO THOSE APPEARING IN OTHER GLOSSARIES

Term	Meaning	1698 ¹	1718	1725	1742
Cheving the Froe	cutting off a woman's pocket	-	-	-	x
Miss Slang all upon the Safe	standing at a safe distance from the gang in order to receive the stolen goods	-	-	-	x
Rum Muns	a great beau	-	-	x ²	-
Glim Star	a ring	-	-	-	-
Feme	a hand	x ³	-	-	x
Bulk the Muns forward	to push a person	x	-	-	x
Saweer clearly	to keep a good look out	-	-	-	-
vid Loge	a repeating watch	-	-	-	x
tip'd	gave	x ⁴	x ⁴	x ⁴	x ⁴
smoak'd	to be caught	x ⁴	x ⁴	x ⁴	x ⁴

¹ For the authour and titles of the cant glossaries here referred to only by date of publication, see the text.

² Only "Muns" appears, meaning "face."

³ Appearing under the spelling, "fam."

⁴ Of at least Elizabethan origin.

TABLE IX (continued)

Term	Meaning	1698	1718	1725	1742
Bungs	pockets	x	-	x	-
Tales	a man's repeating watch	-	-	-	-
Biding	a rendez-vous where the booty is shared	-	-	-	x
Lower	a purse	-	-	-	x
Ridge	a guinea	-	-	¹	x
blown	made public, detected	x	x	x ²	-
the Twang Adam Cove	a smooth talker who gains the confidence of the prospective victim	-	-	-	x
the slang mort lay	a method of gaining entry to a house whereby the practitioner pretending to be pregnant feigns illness. Said to have been invented by Jenny Diver.	-	-	-	x

¹ Though "Ridg-Cully" meaning a "goldsmith" appears here.

² Gives "blown upon" with this meaning and the additional meaning of being despised or slighted.

Of the seven others, two ("tip'd" and "smoak'd") were more than a century old and may by 1741 have left cant and entered slang, one ("feme") appeared in other sources but under a different spelling, and one ("muns") appeared elsewhere in a different but similar meaning.¹

All in all it would appear that the narrator of the "Transactions" possessed either considerable and unlikely nerve to invent so many new words or the confidence that could arise only from rendering accurately what Mary Young reported. Neither the tone, nor the purpose, nor the rhetorical conventions of the "Transactions" make it likely that the Ordinary "fabricated" it. It is likely that either Mary Young wrote her own "Transactions" or that somebody else working closely with her did, and therefore, that the "Transactions" on the whole tell the truth.

The second narrative we examine, describing the robberies and organization of John Jeffs and Joseph Lucas, alias "Ninn," appeared in the Ordinary's Account of 9 July 1745. In the descriptions of the elaborate government of their gang it is comparable to "The Beggar's Opera," and in the extravagant braggadocio of the protagonists it reads like a parody of Fielding's loud-mouthed version of Jonathan Wild. Here

¹ Partridge, *op. cit.*, supplies an instance of "tip" with this meaning in 1611. It had become slang by the 19th century. "Smoak'd" on the other hand was slang by 1700 according to Partridge who finds its first cant usage with this meaning in 1591.

is a narrative which, surely, asks for skepticism on the face of it. Yet a too hasty rejection of the narrative would be as unwise as complete acceptance, as we are able to establish much in the narrative that is truthful by comparing it to an allied source of a quite different status.

On 23 May 1745 James Bye allowed a City magistrate, John Hankey, to compose a six thousand word examination of his confession to some twenty-odd crimes that he committed with Jeffs and Lucas during March, April and May 1745.¹

A comparison between the Ordinary's narrative and James Bye's confession leads to several conclusions. First, we can reject the possibility (what the respective dates of composition allowed) that the Ordinary simply revised the confession as the basis for his own narrative. Second, the points that each document share enables us to reject a first impression that the narrative was written in an established fictional mode. Third, where self-deception and bravado intrude in the narrative these are embellishments upon the basic outline of events and not indications of an entirely different story. And, fourth, the picture

¹ Corp. Lond. R.O., "The Examination of James Bye, 23 May 1745," Sessions Papers, Bundle for 1745. The examination is so unusual in its length and so revealing from a number of other points of view that we have thought it useful to transcribe it and attach it as a supporting document ~~in~~ the end of ~~this~~ appendix.

the narrative provides of Lucas and Jeffs is so different from the stereotyped psychology that the Ordinary usually offers that it is likely that the narrative was the product of discussions with the two men, themselves conscious of the picaresque and elegiac possibilities of the situation.

Let us note first the similarities between the two documents. The fact for which they were condemned is accurately described in both, a description that conforms with that provided in The Proceedings: on 12 April 1745, the Friday before Easter, Lucas, Jeffs, James Bye, and Richard Horton (alias "Toss-off-Dick") broke into a house in Hand Court, Holborn, and stole several gowns, a large number of shirts, and some other articles of clothing.¹ After committing this burglary the Ordinary's narrative says that they regrouped in "a joyful meeting at the Chimney Sweeper's in Thatcht Alley by Chick Lane, one of the capital rendezvous of the gang for the north-east district." Bye does not refer to this meeting, though a few weeks later he says that "they all resolved to go to a Chimney Sweepers in Thatched Alley Field Lane where Blue Skin Lodged." "Blue Skin," an alias for Payne, was a

¹ See The Proceedings, 30-31 May 1745.

chimney sweeper according to Bye whose wife occasionally did some fencing for the gang.

The Ordinary's narrative says that "they were in no particular specie of thieving, all being fish that came to net," a point which, though not stated, is well exemplified by the types of crimes described in Bye's confession. Thus he describes two instances of street robbing, fifteen or so of breaking and entering, three of assault, several instances of picking pockets, and some "in getting several Coachmen and Footmen's Great Coats." In both the narrative and the confession crimes are classified not according to the statute they violate but according to the technique of their execution. Lucas, "a man of genius in his way" according to the narrative, contrived, it is said, a novel technique. Meeting western coaches as they arrived at Piccadilly, the gang followed them until the passengers were discharged, and then by diverting the coachmen ("always a-dry") with drink they carried off the moveables and portmanteaux. In the confession Lucas is not credited with this technique, though it evidently appeared to be

somewhat unusual judging by the context in which stealing
 "off a Rattle" is placed.¹

¹ The confession contains seven cant terms, some known to Partridge and some not:

Term	Meaning	Partridge	Remarks
"Mr. Jones"	a signal of danger	-	Or, "Mr. Jones a Cabinet Maker".
"the Glim"	a dark lanthorn	x	From at least 1676.
"a Chance"	an opportunity to steal	x	quoting Mary Young
"jump the Glaze"	lift the window	-	though "glaze " is cited.
"a Rattle"	a coach	x	Though regarded as a misspelling of "rattler."
"a Lob"	a money till	x	From 1732.
"a grey Tog"	a great coat	-	Though "tog" is cited from 1708.

Both the Ordinary and Bye describe with particular care the receiving network of the gang. "They sold to several women," the Ordinary says, "who make it their business to receive stolen goods for which they never pay above one fourth of the saleable value." A sexual division of labour between thieving and receiving can be established with virtually no exceptions. Thus Bye describes the robberies of seven other men besides those of himself, Jeffs, and Lucas, and in all instances save one the stolen goods were fenced by women, eight different ones.¹ Mrs. Lucas, Joseph's wife, lived in a house "against Old Street Church" where she conducted half of the receiving operations of the gang, according to Bye's confession. Her predominance is suggested in the narrative, too: receiving was "a trade she had very many opportunities of improving in under the conduct and direction of the famous Bess Cane to whose care and for instruction her husband committed her." Bye does not mention this tutelage though he refers to Bess Cane as a well-known receiver and to the case that got her transported. As for the Ordinary's claim that the receivers paid only "one

¹ The other robbers were Richard Horton, Payne, Thomas Clark, one Jemmy, George Broom, Thomas Anderson, and John Martin. The receivers were Mrs. Lucas, Ann Collyer, Eleanor Young, Hannah Stansbridge, another Hannah, Susannah Clark, Mrs. Clayton, and Elizabeth Cane, and, the single male exception, William Neal, a pawnbroker.

fourth of the saleable value" of the stolen goods, we cannot on the basis of Bye's confession confirm this on the whole, though in the particular case for which they were indicted (which of course must provide an estimate of "saleable value") the estimate is remarkably accurate. Thus the goods stolen on the Good Friday burglary were evaluated for the trial at a total of eleven pounds ten shillings. They were actually sold for only two Guineas to Eleanor Young, certainly less than a fourth.¹

While in Newgate awaiting his hanging, Lucas wrote his wife a letter:

You need not be told the danger of receiving stolen goods, when it puts you in the power of every little pilfering rascal, to ruin you whenever he pleases; they durst not do it whilst I was [sic] alive; but now I am dead they will hang you if, they can save themselves. Only consider what became of poor Bess Cane, Bess is gone to be a slave, and you know what that is....

Though Mrs. Lucas was not brought to trial, the existence of Bye's confession, providing material for perhaps a dozen indictments and the basis of suspicion for half a dozen more, was enough to justify Lucas's warning. In addition, the

1

Bye's confession describes twenty robberies in detail. In nineteen of these he specifies the amount of money they got for the goods from their receivers. The total amount in three months of robbing came to eight pounds, one shilling and five-pence. This would have to be *divided by the average number* committing the robberies (three) giving each person about two pounds fourteen shillings for their thieving.

letter provides evidence of the concern and mutuality among the members of the gang that Bye's confession confirms in several of its parts even while as a whole his is a document of betrayal. On a day that Jeffs, Bye and John Martin had made a satisfactory robbery, Martin's mother was released from Newgate, and they decided to split the goods four ways. At another time the same three fenced stolen goods for thirteen shillings from Susannah Clark. They gave the odd shilling to Joseph Lucas who had^{at} that time ~~had~~ been captured and was confined in Newgate. Later in May they sent him another shilling. We find it necessary to mention these instances of mutuality not in order to establish the existence of an independent, criminal "sub-culture" (is not such generosity common throughout much of the labouring poor?) nor to sentimentalize as social bandits the collective spirit of eighteenth century thieves, but in order to lend some credibility to those texts which refer to oaths that members of criminal gangs took swearing loyalty and promising to aid one another in times of difficulty.¹

¹ For example, the fourth provision of the oath that members of Mary Young's gang took reads as follows: "That if any of the Gang should happen to be taken upon any one Action, that the rest shall stand by him, or her, and swear any thing in order to get such releas'd; and if convicted, a sufficient Allowance to be given him or her in Prison out of our Common Stock, that they may live in a Gentleman or Gentlewoman-like Manner," The Ordinary's Account, 18 March 1740/41. A similar oath is reproduced in Villany Exploded (1728) which describes

Footnote #1 (continued)

the gang of James Dalton. It reads in part: "That whilst any Member of this Society lies in Newgate, or any other Gaol, he shall be allow'd one Shilling a Day, till he is clear, topp'd off, or transported."

We find, then, in our comparison between the Ordinary's narrative and Bye's confession much that corresponds and lends credence to the former. There are contradictions too.

In particular we must mention the extravagant, even ludicrous claims about the scope of Joseph Lucas's influence. The Ordinary's narrative reads:

He rose to this dignity [Captain General of Thieves] by his merit and success, and pursued his preferment with great skill and address, having a very particular ambition to equal at least the two famous Captains of the north-west and south, to wit, Captain Poney, who rules all the north-west part of the bills of mortality, and whose headquarters are near St. Giles's. And Gentleman Harry, whose government includes all the south side of the Thames up to Norwood, and from thence by an imaginary line east and west many miles: his headquarters are in the Mint, Southwark. Captain Lucas assumed to himself the sovereignty of the City of London, and all the outparts of the same up to Highgate, and so by an imaginary line west about one mile, and eastwards without limit. His headquarters was in the vicinage of Chick Lane. Jeffs, Horton, Greenaway, Rush, and about seven thousand more were his obedient slaves.

There is nothing inherently implausible in the practise of taking styles of address and nomenclature of jurisdictions from those of the military and the state. Similar practises

occur among several groups of eighteenth century criminals, as for instance among the "Minters" or among the Waltham Blacks.¹ On the other hand, the actual leadership of the thieving that Lucas did, at least as it was described by James Bye who was anything but an "obedient slave," shows that if anything John Jeffs took most of the risks and gave most of the orders. It was Jeffs^{who} pushed open window sashes, Jeffs' finger that lifted parlour door latches, Jeffs the first to enter an occupied house, and Jeffs who organized preliminary scouting (though there was little of this), who assigned stake-out duties, and^{who} suggested receivers. Indeed, Lucas's role like that of Bye was subordinate, though not servile. The jurisdiction that Lucas claimed to be his corresponds roughly to the areas of the crimes that Bye describes. These were along the northern roads leading to Smithfield (Islington, Clerkenwell, St. John's Street, and Barbican), many place in Holborn and Soho, with only

¹ On the Minters see The Journals of the House of Commons, 26-27 February 1722/23, pp. 154-157, and the Ordinary's Account, 4 June 1725. On the Waltham Blacks E.P. Thompson, "9 George I, c. 22 and the Waltham Blacks," unpublished manuscript, and Anon., The History of the Blacks of Waltham (1723). See also, John Bellamy, Crime and Public Order in England in the Later Middle Ages (London, 1973), p. 75, which discusses this practise in the context of a quite different social formation.

occasional excursions as far west as Chelsea and Kensington, but none in Highgate and none in the east.¹

In assessing these passages of the Ordinary's narrative our problem is not, then, his own imaginative powers, but his credulity (or sensitivity) to the dreams of the male-factors sentenced to die. "During the triumphant part of his life," the Ordinary tells us of Joseph Lucas, "the ambition and a desire of universal Monarchy reigned in his breast." Probably they are Lucas's words: "he often used pleasantly to say that there were but three Princes fit to reign, viz., himself, Lewis XV, and the King of P--a." Whether credulous or generous, the fact is that the Ordinary comes out rather well, a man who has the decency to at least repeat the stories of the condemned as they were told him, who does not intrude with his own version of a truth that he had not in any case experienced, and who, in the case of Joseph Lucas, had the grace to say of his hanging: "dying so well, I may say so heroically good." To be sure there is in this a certain amount of knowing winking between the Ordinary and his eighteenth century reader, but in this case the attitude is consistent with respect to the subject, Joseph Lucas.

¹

The robberies were committed in Wardour St., Goswell St. Nassau St., Brick Lane, Barbican, Crown Court, Hand Court, Eagle St., Tyburn Road, Chelsea, Islington, Southampton Row, Grey's Inn Lane, Kensington, Islington, and Soho.

In the eleventh plate of Hogarth's series, "Industry and Idleness," the hanging procession of Tom Idle is depicted. A vast distance separates the Ordinary of Newgate safely ensconced in a hackney coach in the background and a woman standing in the foreground, stage center, clothed in rags, a babe in arms, a face ravaged by weather, hawking out a ballad of Tom Idle. Yet of the scores of portraits in the plate these are two who, instead of facing Tom in the tumbril or anticipating the action soon to take place at the gallows, are facing us, the readers. Each, we know, has a version of the hanging to tell us. One that perhaps produced legends, another those homilectic "Awful Examples;" one official and one popular; one remembered below decks, in taverns, and workshops and the other imparted by schoolmasters, vicars and judges. Sometimes, as in the Ordinary's faithful account of Lucas's crimes, the distance between the two is not great and while this poses problems to the historian who must in either case carefully criticize the documentation that each has left, it reminds us that the Ordinary was not all stuffy humbug and platitude. There is much else to be found in the Accounts of the sort that Francis Place in his notebook on "Grossness" would rail against with special viciousness, and for this the historian

must be grateful. In particular we have found in these Accounts perhaps the only source of knowledge that permits us to make a systematic social study of some eighteenth century criminals. A study of this material enables us to do on a large scale what Hogarth did on a small one: we can take a first step in the discovery of the real relations between work and crime.

Chapter Eight:

A SOCIAL ANALYSIS OF THE HANGED

"History records the fact that they first tried beggary, vagabondage, and crime, but they were herded off this road by means of the gallows, the pillory, and the whip."

Karl Marx,
Grundrisse.

"Pilfering and Thieving especiall were not then as now almost wholly confined to the very lowest of the People, but were practiced by tradesmens sons, by youths and young men.... Thieving had not as yet become a trade to be followed by those who liv'd by it as it has now become."

Francis Place,
Autobiography, Brit. Mus., Add. MSS. 35142, f.54.

We have located 237 Ordinary's Accounts, largely of the first sixty years of the eighteenth century. In them are contained the biographies of 1,187 people hanged at Tyburn, 58 women and 1,129 men. Regarded as a statistical sample of eighteenth century London criminals it is a small number of people. In 1740, for example, almost two thousand people were indicted in the City, Westminster, and Middlesex. In the City of London more than seventeen thousand people were indicted between 1715 and 1755. In Middlesex and Westminster between 1699 and 1754 about eighty-four thousand were indicted. Combining each, more than one hundred thousand persons (101,658) were indicted in London during the first half of the eighteenth century. Our sample of the hanged is only slightly more than one hundredth of this sum.

Obviously, those who were hanged do not provide in every respect a 'typical' sample of the total number brought to court in London. Not only were the hanged found guilty, their offenses were more serious. Thus in 1740 fifty-eight percent (1,140) of indictments appeared before the Sessions of Peace which largely tried cases of assault and petty theft. Forty-two percent (815) that year were tried at Sessions of Gaol Delivery and of these only ~~eighteen~~ were hanged. The hanged, therefore, committed the most serious crimes, but we hardly need statistics to tell us that.

As a sample of London criminals there are some extra-legal considerations that distinguish those hanged from those indicted. Comparing the hanged with the London indictments of 1740 again, we find that about thirty-five percent (684 to 1965) of indictments in that year were filed

against women while less than five percent (58 of 1,187) of the ^ppeople hanged were women. We are not in a position at this point to explain this differential; probably it had less to do with a more lenient sentencing and pardoning policy to women than men (though there is evidence for this) than it had to do with a difference in the type of crimes than women and men committed.

We do not, therefore, make a case that the sample which the Ordinary's Account provides was 'representative' of eighteenth century criminality as it appeared before the courts. There are two reasons for not being concerned with this as a 'sampling' problem as such. Although we might point to a number of reasons as to why some guilty of the same offence were hanged and others not, we cannot have any way of knowing whether those differences will affect the patterns of geographical origin, apprenticeship training, and age that will emerge from a study of those hanged. The documentation for doing so does not exist. In this sense the 'sampling' problem is insurmountable.¹ In the second place we shall find that the information which the Ordinary's Account gives us raises problems which a broader sample could not resolve even if it were available. In this sense, the sampling problem is merely a 'technical' problem.

¹ Henry Kamen, "Gallery Service and Crime in 16th Century Spain," Econ. Hist. Rev., 2nd Series, XXII, 2 (August 1969) seeks to discredit the analysis of 6,463 cases taken from two years, 1586 and 1689, of persons condemned to galley service in Spain on the grounds that the sample 'represents' something like 1 : 1,600 of the estimated adult population. The analysis criticized is that of I.A.A. Thompson, "A Map in Sixteenth Century Spain," Econ. Hist. Rev., 2nd Series, XXI, 2 (1968).

What criminal offenses did these 1,187 people commit? Table ^X"The Crimes of the London Hanged," answers the question in part. We have divided capital offenses in twelve groups. Some of these, like "rape" or "horse theft," are derived from single statutes; others, like "stealing" or "breaking and entering," are generic categories that include several specific statutes.¹ It will be seen at once that the overwhelming majority of offenses were in some sense crimes against property: eighty-four percent of them. Ten percent were crimes against the person (murder, rape and one instance of forcible marriage). The others were offenses against the state, enlistment in foreign armies and returning from transportation. The results of this table are not particularly surprising; they are similar to those obtained by studying indictment bills, and the major conclusion that people were hanged for committing offenses against property will surprise no one.

If we turn from the offenses of the hanged to the information the Ordinary supplies us about other characteristics of the hanged, the results become more interesting and indeed require that some previous conceptions of eighteenth century London criminality be revised.

In the first place we begin with the geographical origin of the hanged. Table ^{XI} presents a summary of these origins and compares them to those of persons who indentured themselves in London to serve as bonded servants in the American colonies. Looking for a moment only at the origins of the

¹ Radzinowicz, i, pp. 632-637, contains a convenient summary of eighteenth century law of larceny and burglary.

TABLE X

THE CRIMES OF THE LONDON HANGED

Crime	Number	Percentage
Stealing	543	45.1
Breaking & Entering	305	25.1
Murder	113	9.5
Forgery	58	4.8
Returning from transportation	39	3.2
Horse theft	38	3.2
Smuggling	33	2.7
Coining	20	1.6
Rape	8	0.6
Enlistment in foreign armies	7	0.5
Sheep theft	7	0.5
Other	16	1.3
TOTAL	1187	100.0

hanged we are struck by the relatively small proportion that were born in London, about two-fifths. We then notice that less than three-fourths of the London hanged were born in England. Two and a half percent were born in Scotland; one and a half percent were born in Wales; about fourteen percent were born in Ireland.¹

A comparison of the origins of the hanged with the origins of indentured migrants confirms the point that the high proportion of the hanged born outside of London was not unusual, the figure is roughly three-fifths in both instances. This reflects a migratory movement into London that recent demographic work has led us to expect. It has been calculated, more by a process of demographic deduction than by contemporary historical evidence, that London maintained and actually increased its population during the first half of the eighteenth century by an annual net migration to the town of something like nine or ten thousand.² But this figure which expresses an average rate determined from inexact population figures and different estimations of birth and mortality rates cannot help us ascertain whether the proportion of non-Londoners to London

¹ The foreign born were as follows. Ten from Germany, seven from France, six from the American colonies, four from Holland, two from Guinea, two from Portugal, and one each from Russia, Antigua, Bermuda, Italy, Palestine, Denmark, India, and Austria.

² All commentators are agreed that the vital index was negative; the extent to which the mortality rate exceeded that of births varies from author to author depending on whether they work backwards from the 1801 census as do M.D. George, p. 397, and Deane and Cole, *op. cit.*, or forwards projecting from the Gregory King estimate or the hearth tax returns as does E.A. Wrigley, "A Simple Model of London's Importance in Changing English Society and Economy 1650-1750," *Past & Present*, 37 (1967), 44-70.

TABLE XI

THE ORIGIN OF THOSE HANGED IN LONDON COMPARED TO THE ORIGIN
OF BONDED MIGRANTS DURING THE FIRST HALF OF THE EIGHTEENTH
CENTURY

Place	The Hanged		The Migrants	
	Number	Percentage	Number	Percentage
England	415	34.9	11714	52.7
London	459	38.6	1203	36.9
Total	874	73.5	2917	89.6
Ireland	165	13.9	69	2.1
Scotland	30	2.5	160	4.9
Wales	18	1.5	64	1.9
Other	39	3.2	-42	-1.2
Unknown	61	5.1	-	-
TOTAL	1187	100.0	3252	100.0

born persons hanged at Tyburn varied significantly from that of the population as a whole, which at mid-century was about 600,000.¹ Nevertheless, such evidence as we possess from other sources suggests that the proportion of London to non-London born hanged at Tyburn was about the same as pertained to the London population as a whole. We've seen this to be true among bonded migrants. Let us look at some other evidence. In 1757 one observer put the fraction of London adults "from distant parts" at two-thirds.² The records of the Westminster General Dispensary between 1774 and 1781 point to an even higher figure. Of 3,236 persons entering the dispensary only one fourth were born in London. Fifty-seven percent were born in other parts of England and Wales. Nine percent were born in Ireland, and the rest in Scotland or abroad.³ The records of the Chamberlain's Court in 1690 show that seventy-three percent of those given the freedom of the City by apprenticeship were born

¹ Deane and Cole, op. cit., put the population of London in 1750 at 585,000. Wrigley says it was something closer to 675,000 which enables him to say that the population grew in the first half of the century. Deane and Cole assume it to have been stationary. As neither of their figures is anything more than a guess, for convenience I have rounded the figure off to 600,000.

² Burrington, An Answer to Dr. William Brakenridge's Letter (1757), p. 37, quoted in George, p. 118.

³ "Midwifery Reports of the Westminster General Dispensary," Philosophical Transactions, LXXI, (1781), pp. 355 ff., quoted in George, op. cit.

outside London.¹ In respect of their birth place the available evidence confirms that those hanged at Tyburn were no different from the population of London as a whole.

A study of those not born in London but hanged at Tyburn, therefore, will not only tell us something about why they came to London, but may also shed some light on the general problem of migration into the metropolis during the eighteenth century. It is important that we clarify the meaning and assess the importance of "the problem of migration" because it plays a key role in a dominant interpretation of London's particular importance to eighteenth century English society.

The 'urbanization' problematic must be confronted in our work because, firstly, in Wrigley's important article the attempt is made to analyze eighteenth century London by the ahistorical terms deriving from this problematic, and secondly, its prevalence among criminologists and sociologists of deviancy make historians of crime particularly susceptible to it.² The problematic consists of a series of corresponding

¹ D.V. Glass, "Socio-economic Status and Occupations in the City of London at the End of the Seventeenth Century," Studies in London History, ed. A.E.J. Hollaender and William Kellaway (1969), pp. 385-7.

² See J.J. Tobias, Crime and Industrial Society in the 19th Century (1967), pp. 157-171, for an egregious example. For the criminologists use of the problematic see Denis Szabo, Crimes et villes (Paris, 1960) and M.B. Clinard, "A Cross-cultural Replication of the Relation of Urbanism to Criminal Behavior," American Sociological Review, XXV, 2 (April 1960). See also Allan Silver, "The Demands for Order in Civil Society: A Review of Some Themes in the History of Urban Crime, Police and Riot," in David J. Bordua (ed.), The Police: Six Sociological Essays (New York, 1967), where the "violent proclivities" of immigrants and newcomers" are said to be a main source of urban crime.

oppositions which - and they are often thus crudely expressed - ^{are said} to be as follows. There are two kinds of societies, traditional and modern. Corresponding to them are two modes of behaviour, customary and rational. In 'traditional' societies production is dominated by agriculture; in 'modern' societies by manufacturers and commerce. The transition from one to the other is the process urbanization: in Wrigley's metaphor, the city is the "leaven" to the traditional "lump," therefore a city's growth fairly kneads a society into 'industrialization,' 'modernity,' and the rest. A principle way this is said to occur is through an alteration of attitudes. Wrigley summarizes much of urban sociology on this point:

Urban sociologists describe the characteristic tendency of modern city life to cause individuals in these circumstances to be treated not as occupying an invariable status position in the community, but in terms of the role associated with the particular transaction which gave rise to the fleeting contact. They stress the encouragement which city life gives to what Weber called 'rational' as opposed to 'traditional' patterns of action and the tendency for contract to replace custom. (1)

Wrigley then demonstrates that about one in six adult Englishmen had "direct experience of London life" and this "must have acted as a powerful solvent of the customs, prejudices and modes of action of traditional rural England."² Thus, the key role of migration.

Another social historian has recently made a similar point, but puts

¹ Wrigley, p. 51.

² Wrigley, p. 50.

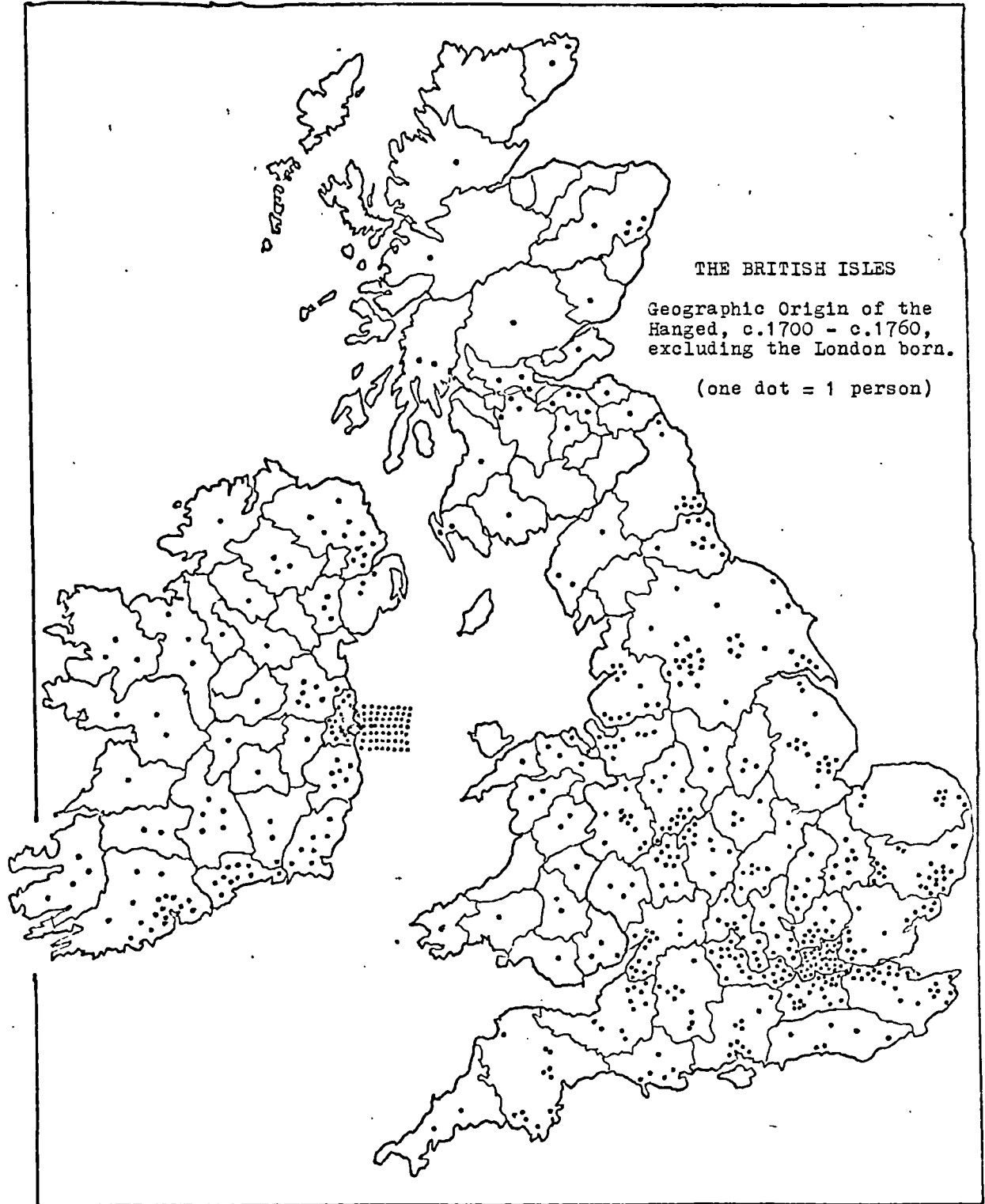
a far wider claim to its importance. Peter Laslett writes, "the dislocation in the lives of thousands of peasants [sic!] and craftsmen who left their little towns and villages to go to settle in this enormous urban complex may have been an important source of new attitudes and changed values, as well as doubt and loneliness."¹ Laslett proposes that the study of social structure and class struggle be abandoned in this period of English history. Instead, social change and social disturbances should be studied through the problematic, 'urbanization,' which will de-class eighteenth century England. What we must question in such assertions is both their lack of specificity to particular stages in the development of the relation of London to the country - that is, their universality - and their insistence upon the antagonistic character of the ideological and cultural aspect of the relation. To describe the relation mainly in terms of attitudes is to make the assertions indiscriminately applicable to the London of fourteenth century peasants (properly so called), sixteenth-century coney-catching, and the nineteenth century London Mayhew describes; that is, to the periods of feudalism, the transition to capitalism, and industrial capitalism. The inability to describe the town-country relation more specifically is not the result of mis-applying the urbanization problematic; it is the result of locating

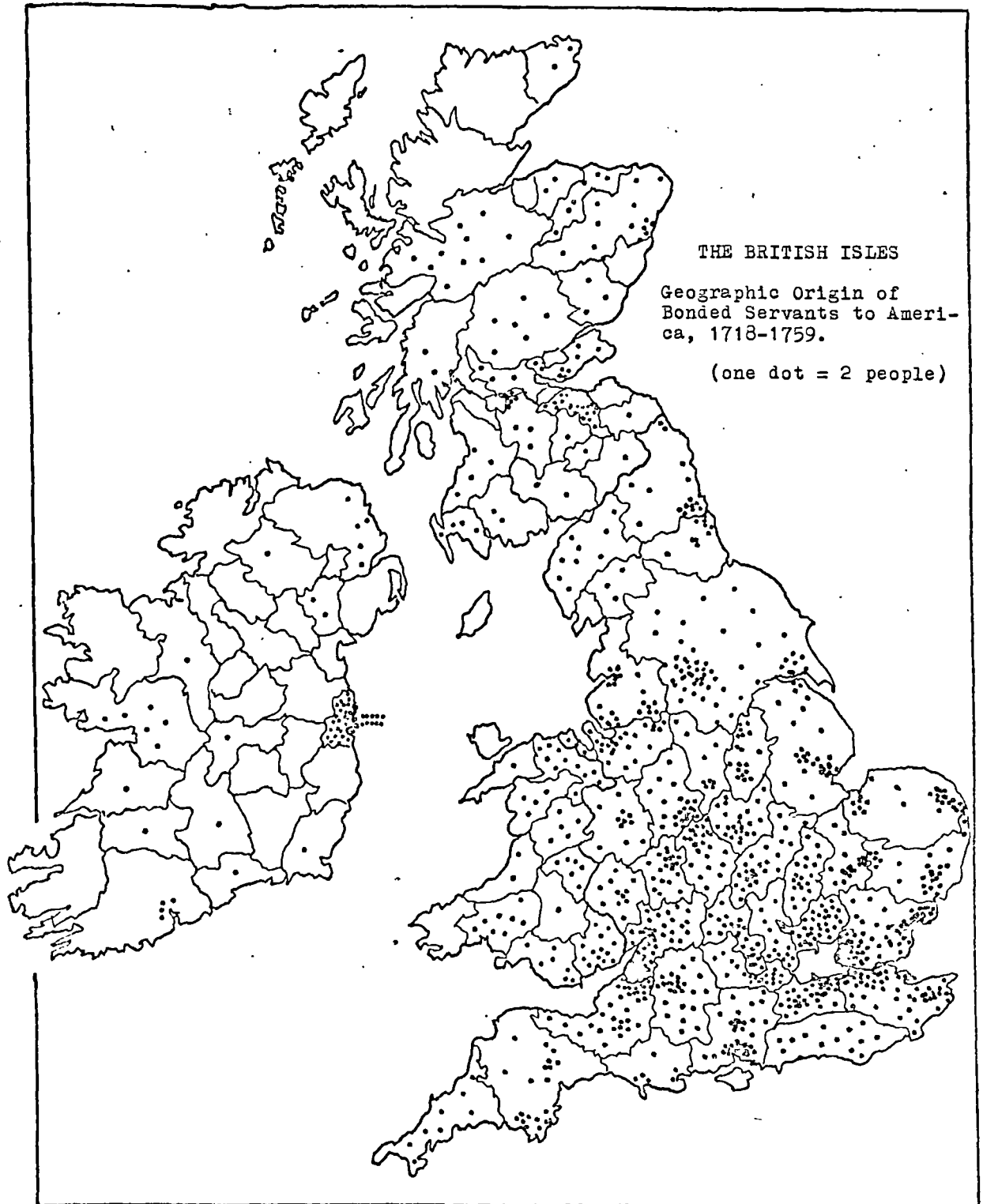
¹ Peter Laslett, "The Numerical Study of English Society" in E.A. Wrigley (ed.), An Introduction to English Historical Demography from the Sixteenth to the Nineteenth Century (1966), pp. 11-13.

an historical problem in a de-historicized problematic.¹

A closer look at Table XI reveals important differences between the geographical origin of the hanged and that of the indentured servants as well as the blunt similarity in the high proportion of migrants in London that each shows. A greater proportion of foreign born were hanged at Tyburn than the proportion of foreign born who migrated. A higher proportion of Scots and Welsh became bonded servants than were hanged. The most striking difference between the two lists lies in the relatively high proportion of Irish hanged at Tyburn, fourteen percent, compared to about two percent of the indentured servants from Ireland. Two maps of the British Isles showing the county origin of the hanged and the indentured servants reveal other differences. The indentured servants of England appear from their relatively high concentrations at Bristol, Portsmouth, and Liverpool to have been a more nautical group than the malefactors. Far more Scots (from Edinburgh in particular) and Welsh became indentured servants in London than were hanged at Tyburn. On the other hand we see that the proportion of Irish and especially Dubliners was much higher among the hanged than among the bonded servants. Excluding Ireland (and London of course) the hanged appear to have been from the midlands, the west country, East Anglia, that is, chiefly from the Thames Valley and the London provisioning areas, a pattern that we

¹ An unpublished paper, John Merrington, "The Relation Between the Town and the Country in the Transition from Feudalism to Capitalism" (April-May 1969), treats this problem brilliantly.





find also in the geographical origin of indentured servants.¹

The development of the social division of labour and the development of English capitalism cannot be analyzed in terms of the growth of London if by 'growth' is understood merely the territorial aggrandizement of the town, or the numerical increase of its population. On the other hand, because of the nature of this phase in its development, English capitalism in the eighteenth century must be analyzed in relation to the political position of London and the concentration of capital in it. The problem of migration, in this case, no longer appears as a fixed, ahistorical, movement between the country and the town, but as an aspect of the supremacy of London in the British labour market. Further study of the hanged who had come to London from other parts calls attention to three particular aspects of London's social position under the eighteenth century conditions of accumulation. First, it was a port, a world city, the center of English imperialism. Second, it was as much a center of national revenue as of capital. As the center of non-productive consumption, it was able to sustain a large parasitic class. Third, the relation of London to the surrounding countryside, as contemporaries, especially Sir James Steuart recognized, was a harmonious relation. Let us illus-

¹ The reader will note of the map showing the geographical origin of indentured servants that none were from Middlesex. Lots were of course. To distinguish London and Middlesex is difficult from the manner that Jack and Marion Kaminkow, A List of Emigrants from England to America, 1718-1759 (Baltimore, Maryland, 1964), have presented their findings.

trate these three themes with references to the hanged.¹

The migration of the Irish to London was less a matter of the "town/country" relation than it was of a "town/town" relation as the map, "Geographic Origin of the Hanged," makes clear. About sixty percent of the Irish came from Dublin, and if we included the Irish migrating from other commercial ports (Cork, Waterford and Wexford) the figure would be much higher.² The migratory movement should be discussed less in terms of the "town/country" or "urbanization" problematics than in terms of the antagonistic imperial relation between the two countries, and that relation, as Lecky expressed it was a relationship of tyranny, and,

Of all Tyrannies, a class tyranny has been justly described as the most intolerable, for it is ubiquitous in its operations and weighs, perhaps, most heavily on those whose obscurity or distance would withdraw them from the notice of a single despot; and of all class tyrannies, perhaps the most odious is that which rests upon religious distinctions and is envenomed by religious animosities. (3)

A penal code consolidated during the reigns of William III and Queen

¹ The themes presented in this section are developed at greater length in my paper, " 'Piking to the Start:' Crime and the Town-Country Axis in Eighteenth Century London," unpublished paper (Center for the Study of Social History, University of Warwick, March 1971).

² For 69 cases the Ordinary specifies Dublin as the place of birth. In 47 cases he specifies the Irish county. In 49 cases he refers to "Ireland" only. Thus the percentage of Irish from Dublin who were hanged at Tyburn is approximate only.

³ W.E.H. Lecky, A History of Ireland in the Eighteenth Century (1906 edition), Vol. I, p. 147.

Anne was designed to obliterate Irish shipping, trade, and commerce. An analysis of the occupational background of the Irish hanged at Tyburn reveals perhaps a consequence of that policy in the overwhelming concentration of migrants in non-agricultural employments. Table ~~VII~~ "Occupational Background of the Irish Hanged at Tyburn," shows that a mere eleven percent of the Irish were country labourers; most were apprenticed workers, sailors, and domestic servants.

Of course a Table like this may suggest a fixity of employment history that is at odds with the actualities of uncertainty and mobility of employments. We look at two individual cases. James Ryan, was born to poor cottiers in the west of Ireland. Being "wearied of staying at Home" he went to sea and served on Guinea slavers running to the West Indies. He fought in the Walloon Guards for Spain at Gibraltar and then "serv'd in General Buckley's Regiment in the late Wars at the Siege of Fort Keil and Philipsburgh, where finding there was little to be had but Red Hot Cannon Ball Bullets, he thought fit to desert, and then he came over to London."¹ He was hanged for a highway robbery. Patrick Kelly came to London with his family having spend most of his forty-odd years in argicultural work in Connaught. In London "he provided for [his wife and children] by working about the River, going on Errands as a Porter, or any Way he could honestly earn a Penny under the Masons, Bricklayers, Carpenters & c." In season he worked in the annual hay harvest in the

¹ The Ordinary's Account, 3 March 1737.

TABLE *XII*

OCCUPATIONAL BACKGROUND OF THE IRISH HANGED AT TYBURN

Occupation	Number	Percentage
Completed Apprenticeship	44	26.7
Unfinished Apprenticeship	14	8.5
Total	58	35.2
Sailors	38	23.0
Soldiers	17	10.3
Country labourers	18	10.9
Servants	13	7.9
People of Some Money	13	7.9
Unknown	8	4.8
TOTAL	165	100.0

counties about London. But for most of his years in the metropolis he cushioned the insecurities of seasonal and casual labour by silvering over farthings and passing them off as sixpenny bits. He was hanged in 1743.¹

Thus even for those Irish without apprenticeship training or experience in urban manufacturing, the route to London was via a wide variety of jobs - as veterans, sailors, pedlars, illicit recruiting officers, building labourers, and so on. They did not land in London as country bumbkins, coneys, or naifs to be preyed upon by the sophisticates of the town. Far from being products of self-enclosed, 'organic,' communities of 'traditional society, most were cosmopolitans of several European countries and sometimes of three continents, whose roots were not in village life, though many were born in villages, but in the defensive institutions created by them in two continents to sustain them in a hand-to-mouth existence and to fight against the English. Arrival in London did not produce traumatic shocks of social inadaptation to the contractual, impersonal, role-playing of modernity. In London other institutions in the form of night-houses, brandy-cellars bawdy houses, and receiving kens reproduced the cultural and national solidarities born of fighting the English or surviving despite the English in Ireland, Spain, France, Flanders, Germany, and North America.

Table XIII presents the "Occupation Background of the English not born in London Hanged at Tyburn." As with the occupational background

¹ Ibid., 13 April 1743.

TABLE XIII

OCCUPATIONAL BACKGROUND OF THE ENGLISH HANGED AT TYBURN
(excluding Londoners)

Occupation	Number	Percentage
Completed Apprenticeship	148	35.6
Unfinished Apprenticeship	34	8.2
Total	182	43.8
Sailors	35	8.4
Soldiers	31	7.4
Country labourers	77	18.5
Servants	49	11.8
Unknown	41	10.1
TOTAL	415	100.0

of the Irish the proportion of the English who had begun an apprenticeship was high, forty-four percent with the English, thirty-five percent with the Irish. About sixteen percent of the English not born in London and hanged at Tyburn had been sailors or soldiers. Combining this with the figures for the Irish we find that about twenty-one percent of the non-Londonders hanged at Tyburn had been soldiers or sailors. Their experience had been with orgnized and forcible expropriation at the national level. For them the road to London passed though the sea lanes dividing five continents, the outposts of British imperialism in the West and East Indies, the Guinea coast, the plantations of North America, or through marches up the Rhine, across Flanders to Bergen-op-Zoom, Maestricht, Dettingen, and Fontenoy.

These men had experienced the realities of eighteenth century English capitalism before they came to London. The world they lost upon coming to London was very much like the world they found once they got there. One wears a different face on the quarter deck than in the fo'c's'le. One carries onself one way while being reviewed by the Duke of Cumberland and another way while arranging with an inn-keeper to desert. Likewise in London when treating with a fence or the beak. To this extent the movement into London did not initiate them into "role-playing." In London, as on the field or on ship, cash bought most anything. One didn't get much of it even if the Admiralty choked up back pay, so one relied on cunning, force of numbers, stealth, and enterprise to take contribution from the 'publick' in other ways.

Even when men did come from tightly organized communities, the forces of law and order did not have much trouble penetrating them. William Corbee was bred in one such community, the Durham coal pits, and there he "lived thus by the Sweat of his Brow," until at the age of twenty-five, in 1742, he enlisted in the Guards. For the next three years he fought in the Duke of Cumberland's armies in Flanders and Germany. When the Third Regiment was returned to London, he joined another soldier and for six or seven years robbed on the highways in Islington, Chelsea, and Hyde Park. He had a steady receiver in Chick Lane. He was caught but was able to escape his captors in London and return as a fugitive to his village in the Durham coal pits. But the village community there would not protect him. They knew that he was a fugitive and there were several who gladly accepted the reward money and offered Sir John Fielding full cooperation. Corbee was retaken and hanged in 1753.¹

We have found it necessary to situate the problems of the migration of the Irish, the sailors, and the soldiers within the general problem of British imperialism, organized at that time especially through the entrepot of London. But London was also "Town" with its "Season" and "Fashions." It was the Court and the government. The expansion of cities during the period of mercantilism was "essentially due to a concentration of consumption" writes Werner Sombart, a judgment that

¹ The Ordinary's Account, 6 July 1753.

expresses only part of the truth but an essential part.¹ In classical political economy the "concentration of consumption" with its attendant parasitism was expressed in terms of capital and revenue. Adam Smith wrote,

The proportion between capital and revenue therefore, seems everywhere to regulate the proportion between industry and idleness. Wherever capital predominates, industry prevails: wherever revenue, idleness. (2)

The consequences of this theme dominates much eighteenth century literature. We remember Joseph Andrews, a parish child, who becomes a footman, accompanies his mistress to London and becomes "a little too forward in riots at the play houses and assemblies. The paternal protection of his master, Sir Thomas Booby, saves him from further corruption and a rake's nemesis. Similarly with Humphry Clinker, "a poor Wiltshire lad" and a workhouse boy, who is taken into service by Matthew Bramble and then to London. There all is "rambling, riding, rolling, rushing, justling, mixing, bouncing, cracking, and crashing in one vile ferment of stupidity and corruption." Matthew Bramble in his letter against the temptations of London continues:

The plough-boys, cow-herds, and lower hinds, are debauched and seduced by the appearance and discourse of those coxcombs in livery, when they make their summer excursions. They desert their dirt and drudgery and swarm up to London, in hopes of getting into ser-

¹ Werner Sombart, Luxury and Capitalism (Ann Arbor, Michigan, 1967), p. 24.

² The Wealth of Nations. Book II, chapter 3 (1776).

vice, where they can live luxuriously and wear fine clothes, without being obliged to work; for idleness is natural to man - Great numbers of these, being disappointed in their expectations become thieves and sharpers; and London being an immense wilderness, in which there is neither watch nor ward of any signification, nor any order or police, affords them lurking places as well as prey. (1)

In London Humphry Clinker learns to aspire to a certain spiritual equality with his benefactor which almost causes him, but for the timely intervention of his master, to be hanged. The paternal care of Sir Thomas Booby and Matthew Bramble are contrasted to the impersonal forces of Quarter Sessions, prison discipline and the gallows. One might express the contrast in sociological terminology. Humphry Clinker becomes a case study of 'the traumatic shocks attending social inadaptation to the urban environment.' 'Legal authority with a bureaucratic administrative staff' comes within an ace of sending him to Tyburn, but 'traditional authority sanctified by immemorial tradition' (Matthew Bramble) plucks him out of the Clerkenwell New Prison just in time. The progress of Joseph Andrews and Humphry Clinker to London are not progresses from traditional agricultural society to modern bourgeois society, they are moral degenerations.

This view of London though is a particular one, that of genteel visitors come to spend money. The organization of domestic economy of the eight-

¹ ~~Humphry Clinker~~ Tobias Smollett, The Expedition of Humphry Clinker (New York, 1968), pp. 80-81.

eenth century gentry was no longer part of significant social production. The question of labour discipline and supply therefore appeared to the parasitic and leisured class of London gentility as above all a "servant problem." The sixty-two servants (thirteen Irish and forty-nine English) who came to London as servants or to become servants and instead found their way to the gallows were part of that 'problem.'

A third aspect of the relationship between London and the rest of the country in the eighteenth century is suggested by the fact that fifty-eight percent of those hanged at Tyburn but not born in London ~~had~~ started an apprenticeship to a trade or came to London as country labourers. Ninety-five were agricultural workers or sixteen percent. Forty-one percent (240) had been apprenticed. London was also a center of manufacturers. In this fact it did not, of course, stand in contradiction to the rest of England: the class relations of particular trades were developed to a greater or lesser extent in London and other English towns but were not in a qualitative opposition. Before discussing the problem of apprenticeship and the trades of those hanged let us briefly examine the agricultural workers hanged at Tyburn.

John Middleton, an 'improving' Middlesex farmer writing at the end of the century, invites us to imagine the relation of London to the immediately surrounding country as a series of concentric orbits. The first of these, surrounding London, consists of the towns and villages dominated by garden and nursery farming for the London grocery markets. Outside of this is a ring composed of the villas, country-houses, and retreats of

the wealthy citizens of London. Finally, the largest orbit consists of Middlesex farmers supplying London, and these are of three kinds: those for whom farming is secondary to their business in London, those who have gathered their capital elsewhere and to whom farming is a retirement, and those who are farmers by profession.¹ Of course, the complementary division of labour between the town and the country was not new to the eighteenth century; London's effect on regional specialization of agricultural production in England began in Tudor times.² What is surprising is that two hundred years later a harmony in the exchange of agricultural commodities is said to co-exist with an antagonism in the movement of labour to London, even when that movement was an essential aspect of the movement of other commodities. In fact, class antagonisms paralleled one another in the country and in the town.

"Their parent, Earth, has in a manner banished them from her bosom; they have her no more to suckle them in idleness; industry has gathered them together, labour must support them, and this must produce a surplus from bringing up children." Thus, is Steuart's remarkable formulation of the development of capitalist agriculture.³ "When thou tillest the ground, it shall not henceforth yield unto thee her strength; a

¹ A View of Agriculture of Middlesex (1798), p. 51

² F.J. Fisher, "The Development of the London Food Market, 1540-1640," Econ. Hist. Rev., V (1934-5).

³ Sir James Steuart, An Inquiry into the Principles of Political Oeconomy, edited, by A.S. Skinner, vol. i, pp. 67 (Edinburgh, 1966).

fugitive and a vagabond shalt thou be in the earth." Thus, the Ordinary of Newgate invokes God's curse on Cain to the agricultural workers brought to his care.

Indeed, the agricultural labourers who ended their days at Tyburn were fugitives and vagabonds in the earth, but it was not the just wrath of the Lord which separated them from their parent, Earth, but the justice of the newly propertied, the enclosure of fields, the Navy's "manning problem," and the laws of Parliament. Henry Gover was bred as a day labourer in Hertford working usually on either daily or monthly contracts. He worked in Hertford, in Luton, and in Hampstead before he was caught selling a stolen brown gelding in Southwark. He was hanged in 1751. But for most of his life he "did his Business, eat his Meat and rubb'd on, as People thus brought up are us'd to do."¹ The move to London for about sixteen percent of those hanged at Tyburn, the agricultural labourers, was rubbing on in search of work. Just as London "sucks the vitals of trade in this island of itself," indeed because it does so, so the quest for employment or the employment itself led there too. Fugitives and vagabonds in the earth, the separation of earth from her labourious children, this is one part of the expansion and intensification of London marketing and provisioning: waggoning, carrying, carting, droving, higgling, threshing, podding, gardening, hopping, hay-making, these activities (growing, harvesting, preparing and marketing products)

¹ The Ordinary's Account, 25 March 1751.

, belonged as much to London life as smithing or milling did to the country.

Just as there were islands of the city in the surrounding countryside - mills, manufacturies, pleasure gardens, and merchant suburbs - so islands of the country were found in the city at the terminals of the main western, eastern and northern roads. At these points, (Piccadilly was one, parts of St. James's, Clerkenwell, another) coaching houses, stables, sadlers, farriers, pounds, inns, lodging houses, wheelwrights and the rest were concentrated. St. Giles-in-the-Fields contained both a major north-south route coming to the city from Tottenham Court and the principal west-east thoroughfare, Oxford Street and High Holborn. It's well known reputation in the late eighteenth century as a thief's rookery was preceded by a reputation for containing cheap rooming houses, gin-shops, and taverns for the transient country population. John Burton who was born in Croydon and bred to country work in Surrey, from time to time, drove carts and waggon's of farm produce into London. On his London visits he lodged in St. Giles's where he "contracted acquaintance with all manner of wickedness."¹ Perhaps his wages, four shillings a week without victuals, explains his attempts to do other than waggoning work.

Temporary, instable employment as the background to a single robbery or theft corresponds to the highly seasonal labour requirements of the agriculture surrounding London. Virtually all of it was labour

¹ The Ordinary's Account, 17 February 1744.

intensive at certain times of the year, particularly of course, for the August and September hay-harvests, but also earlier when the podding season and the demands of fruit and vegetable marketing in Chelsea, Kensington, Lambeth, Knightsbridge, Hammersmith, and Richmond commanded labour from as far away as north Wales. Elizabeth Harwood was born in Gloucester where she assisted her father, a garden labourer. In 1734 they both came to London. "She got Work in Gardens about the Town not understanding Women's Work having been constantly employ'd in Gardening and Hay-making about Richmond, Twickenham and other villages near London and never came to Town but to sell Fruits or Greens." Searching for work, "miserably poor and naked," she gave birth to a bastard child one night in a field in Twickenham. She killed it and was hanged.¹ William Holloway was somewhat luckier in that he was able to get work outside of the seasons of heavy demand for labour in Middlesex's agriculture. *He was born in Berkshire, both his parents were country labourers.* During the time he couldn't do country work he carried a sedan chair for Lady Weymouth and Lady Grey in London. He was hanged for an out-of-season job, highway robbery between Marylebone and Hampstead.²

¹ The Ordinary's Account, 21, December, 1739.

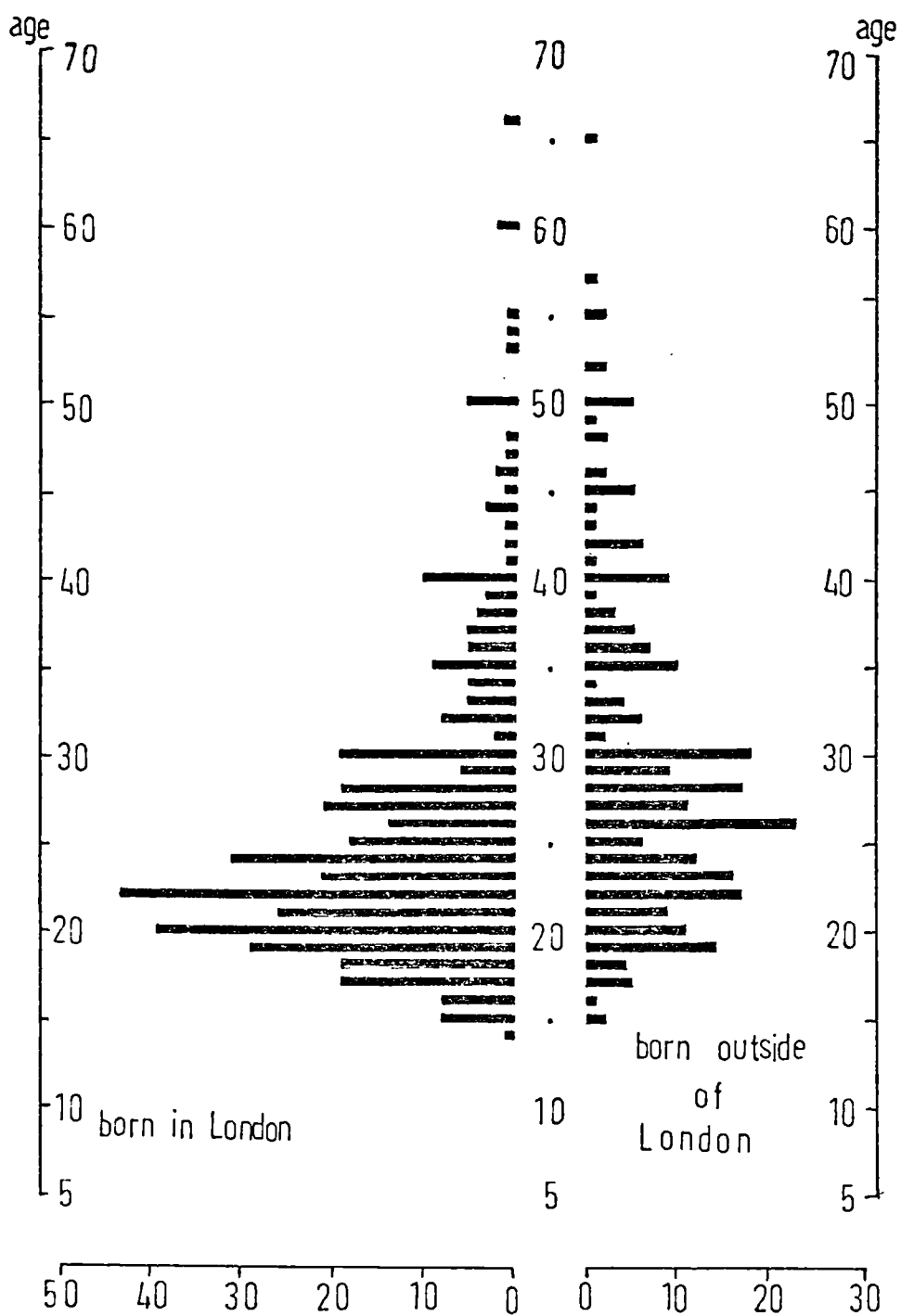
² Ibid., 24 August 1763.

Elizabeth Harwood was thirty-two years old when she was hanged; Holloway was twenty-six. The only statistically significant difference that we have found between the malefactors born in London and those born outside of London is the difference in their average age at death. ^{GRAPH}
~~Table~~ ^{XXIV}, "The Age at Death of the Tyburn Hanged," summarizes the information on this subject. Those hanged and born in London tended to be in their early twenties at death. Those born outside of London were on the whole a few years older, men and women in their late twenties and early thirties. This finding is not especially surprising as we might assume that the move to London (rubbing on in search of work) would more often occur in early adulthood than in childhood.

Summing up we may make a number of points. First, it is unlikely that the proportion of hanged malefactors born outside of London was significantly different from that of the London labouring poor as a whole. 'The problem of urban migration' therefore will not provide us with an adequate explanation of London crime. Second, migration to London must be understood with reference to the historically specific relations between London and the rest of the country. The imperial character of the city, its concentration of parasitic wealth (Adam Smith's "revenue"), and the parallel structure of class relations in it and in the "country" appear to be the characteristics of the eighteenth century metropolis that most adequately account for the migration of those who were to be hanged at Tyburn (and perhaps of other too). A third point follows from these. While the antagonistic relation of London to the country remains an

GRAPH XXIV

THE AGE AT DEATH OF THE LONDON HANGED



important theme in much recent historiography of eighteenth century Britain, in essential aspects those relations were harmonious. Thus, our attention should move from the 'town-country' relation to the social relations of production in the capital. Only in these will the historian find a suitable explanation of eighteenth century London crime. It is for this reason that we have decided to discuss the problem of apprenticeship independently of the 'town-country' relation.

We have seen that 35 percent of the Irish hanged at Tyburn had begun an apprenticeship and that about 44 percent of the English not born in London had started an apprenticeship. Of the Irish who began an apprenticeship 76 percent finished it; of the English not born in London 81 percent served out the required time of the apprenticeship they had started. Of the 607 Londoners hanged at Tyburn 238 or 39 percent started an apprenticeship. Adding this to the other sums we find that forty percent of the men and women hanged at Tyburn in the first half of the eighteenth century had at least started an apprenticeship training and more than three-quarters of these had finished it. Before attempting to examine this result in more detail and before drawing any conclusions from it, we must clear the ground of two problems which sometimes have obscured thinking about apprenticeship in the eighteenth century: we refer to the problem of guild control on one hand and to the problem of 'skilled' work on the other.

From the point of view of corporate organization of production, apprenticeship in the first half of the eighteenth century could mean two

quite different things. First, it was one of the three ways of entering a guild and becoming "free" of a municipal corporation, entrance by purchase and patrimony being the other two methods. Second, it was a method of learning a trade in order to practise it. The extent to which these two functions overlapped or diverged belongs to the history of the breakdown of corporate control of handicraft production. The historian of English apprenticeship and child labour locates the divergence between the two functions at the time of the Civil War. In the early decades of the eighteenth century apprenticeship in the first sense "had really entered its last phase." By 1720 "there was a speeding-up in the process of reorganizing trades on a capitalistic basis."¹ Another authority states "that by the middle of the eighteenth century the English guilds had, for the most part, lost their power to control trade as well industry."² In London the process was considerably advanced by the Plague and the Fire: manufactures removed to the "suburbs" and escaped the juridical control of the guilds. While restrictions upon small retailers continued to be one object of City policy in the eighteenth century, overseas merchants and wholesale dealers were legally exempt from controls after 1712. In "handicrafts" the City of London was slower

¹ O. Jocelyn Dunlop, English Apprenticeship and Child Labour: A History (New York, 1912), pp. 107-133 and 224.

² J.R. Kellett, "The Breakdown of Gild and Corporation Control over the Handicrafts and Retail Trade in London," Economic History Review, 2nd series, vol. x, 3 (1958). See also Stella Kramer, The English Craft Guilds: Studies in Their Progress and Decline (New York, 1927).

to recognize the new state of affairs than it was in retailing and wholeselling. In 1756 nine companies still retained a high proportion in their membership between actual and nominal vocation, though even in these trades the number of "foreigners" practising the trade was greater than the "freemen."¹

The general impression is confirmed in the histories of particular trades. Thus the Coopers Company continued to attempt to control the manufacture of casks in the first three decades of the century, but the opposition of the soapmakers, distillers and vinegar makers forced the Company "to abandon its active supervision of the craft." The main matters of concern to the Company for the rest of the century concerned the wearing of gowns at the Lord Mayor's banquet, furniture for their Hall, and refreshments and dinners.² Jupp, the historian of the Carpenters Company, wisely chooses to bring his history of the Company to the close before the eighteenth century as by that time it had become an honorific body whose history became that of the administration of some charities and the arrangement of banquets.³

In general, then, when we speak of apprenticeship in London during the first half of the eighteenth century we must speak of it in the second

¹ Ibid., pp. 385-390.

² William Foster, A Short History of the Worshipful Company of Coopers of London (Cambridge, 1944), pp. 86 ff.

³ Edward Basil Jupp, An Historical Account of the Worshipful Company of Carpenters of the City of London (1848), passim.

sense where the corporate organization of production determines neither the length of apprenticeship nor the qualifications that it is supposed to impart. To be sure the matter is not always so simple, and when we come to examine particular trades it will become necessary to examine the form of the breakdown of corporate control. The language of 8 Anne c. 9, an Act that taxed apprenticeship indentures, is instructive on this point. The tax was levied on any sum that

be given, paid, contracted, or agreed for, with or in relation to every clerk, apprentice, or servant, which shall be, within the kingdom of Great Britain, put or placed to or with any master or mistress to learn any profession, trade or employment.

Neither master nor mistress need be 'free' of a corporation or a member of a guild, and so neither "clerk, apprentice, or servant."

It is necessary to stress the progressive divergence between these two meanings of "apprenticeship" because when they are confused it is sometimes implied that the apprentice is locked into a stable, juridically controlled, hierarchy of productive relations where even when 'upward social mobility' was not likely paternalist protections cushioned the apprentice against the uncertainties of a free labour market.

A second type of confusion in the meaning of "apprenticeship" arises from the view that it always and only resulted in the training of "skilled" craftsmen and that these in turn must be differentiated from unskilled workers or mere 'labourers' both from the point of view of the technical qualifications of work and from that of the social stratification within the London labouring poor as a whole. We are not in a position to say that in

the first half of the eighteenth century it always meant one thing or the other. Indeed at a time when the technical division of labour within the work shop was in a period of transition it would be foolish for us to make any such blanket statement. On the other hand, as should be clear from the discussion of apprenticed shipwrights at Deptford apprenticeship might mean either a form of qualification of mature labour power or a form of organizing the exploitation of young labour power. In either case the issue cannot be settled without a close look at both the technical organization of work and the social relations of production within particular trades, and this is why the issue cannot be settled in advance. Too often it is simply assumed without examination that apprenticeship in fact meant what in theory it was supposed to mean, that is, the training period for 'skilled workers.

Of the 1,187 men and women hanged at Tyburn in the first half of the eighteenth century for whom the Ordinary has supplied us with biographies, 478 (40 percent) had been apprenticed to a trade. Having suggested two main difficulties in the meaning of the term "apprenticeship" in the eighteenth century, we cannot assume that these 478 male-factors belonged either to the category of 'skilled craftsmen' or to a system of corporate, paternalist production. The fact does however enable us to make comparisons with similar information from other sources and this in turn permits us to make a first, approximate, answer

to the question: was the social composition of the hanged different from that of the London labouring poor as a whole?

We are able to compare the apprentices who were hanged at Tyburn to two other lists of apprentices; namely, those whose indentures were taxed and those who sold themselves as indentured servants in order to obtain passage to the American colonies.

In 1709 Parliament passed "An Act for laying certain duties upon candles, and certain rates upon monies to be given with clerks, an apprentices, towards raising her Majesty's supply." The Act taxed apprenticeships at a rate of sixpence in the pound on sums less than £50 and one shilling in the pound on those sums over £50 which were paid to learn a trade. The Act was made perpetual by 9 Anne c. 21 (1710) and was repealed in 1810. The records resulting from the administration of the tax provide us with the material for our first 'control' group. A quarter of a million entries were made between 1710 and 1762 which have been alphabetically arranged in thirty-three volumes by the Society of Genealogists.¹ We have taken a sample of one thousand cases from these volumes. Although we have not been able to determine precisely the extent of underregistration or avoidance of payment under this Act we may expect that it was considerable, especially in trades which did not require the "freedom" of a municipality or corporate guild.² In this

¹ Guildhall. Society of Genealogists. The Apprentices of Great Britain 1710 to 1762 extracted from the Inland Revenue Books at the Public Record Office, 33 vols. (typescript, 1921-1928). I gathered a thousand cases by transcribing those of the first eight pages in volumes xiii, xviii, and xvii and the first two pages in volumes xii, xi, xix, xxiv, and xiv.

² Surrey Record Society. Surrey Apprenticeships from the Registers in the Public Record Office, 1711-1731, vol. x (London 1929), "Introduction."

respect the list will not be strictly comparable to that of the hanged apprentices. On the other hand we have been able in a few cases to confirm the apprenticeship of some of the hanged by finding their names in this list.

The two lists are different in another way too. The Queen Anne Act applied to clerks, apprentices or servants throughout Great Britain while the list of the hanged apprentices includes only those hanged at Tyburn, though of course this does not mean that they were born or even apprenticed in London.

The second list of trades that can provide us with a 'control' of the hanged apprentices is derived from the surviving records of bonded emigrants to America between 1718 and 1759.¹ Of the 3,117 "Agreements to Serve in America" that were signed in London approximately one half included a description of the trade that the emigrant had exercised. From this list we have abstracted the trades only of those who said that they were from London, excluding those who came to London only for the purpose of emigrating. 618 Londoners listed their trade, and from this sum we have subtracted sixty-three or eleven percent because they were described simply as "labourers."

Neither of our 'control' lists are comparable in all respects to the list we have derived from the Ordinary's Accounts, nor are the 'control' lists incomparable in the same way. Despite these deficiencies we can establish some interesting conclusions in respect that the lists are similar

¹ Jack and Marion Kaminkow, A List of Emigrants from England to America 1718-1759 (Baltimore, Maryland, 1964).

and different.

Among the hanged 112 different trades are mentioned. Eighty-nine different trades are mentioned among the emigrants, and 110 among the taxed apprentices. Altogether 180 different trades are listed in the three groups.¹ Our first problem is to simplify them and this may be done in two ways: by classifying them under general headings or by studying only the most important to each group.

How are the trades to be classified? The problem appears to be merely a formal, arbitrary one, yet as one who tackled this problem in the context of an earlier period of British history remarked "any system of classification is open to objections."² Indeed built into whatever criteria of classification that are employed are substantial assumptions about the division of labour and these in turn may predetermine important questions of the nature of social production. Classification schemes that have recently been used for this or a similar period are based on an eclectic selection of criteria.

Petrovitch in his study of crime and the eighteenth century Parisian work structure classifies labour principally upon the basis of the uses of the product of labour ("building" or "clothing" for instance).³ He also

¹ A complete list of these trades with the number belonging to them from the three lists can be found in Appendix.

² J.F. Pound, "The Social and Trade Structure of Norwich 1525-1575," Past & Present, 34 (July 1966), p. 57.

³ Porphyre Petrovitch, "Recherches sur la criminalité à Paris dans la seconde moitié du XVIIIe siècle," in Crimes et criminalité en France 17e - 18e siècles, eds. A. Abbiateci et al, Cahiers des Annales, No. 33 (Paris 1971).

includes criteria of the nature of the materials of production ("Jewellery"), of the legal owner of labour power ("wage labourers"), and the type of employer ("army," "Royal Service"). "Arts" and "manufactures" are separated while "making" and "vending" are not. Some of the resulting overlapping or uncertainties belong not only to the ambiguities of classification but to the evolution of the division of labour at the time.

J.F. Pound in a study of the trade structure of sixteenth century Norwich resolved the problem of the selection of classification criteria in another way.¹ Most of his categories are determined by either the nature of the materials of labour ("Woodwork," "metal work," "leather and allied") or by the type of use of the product ("building," "food," "transport"). One category ("professional") is determined by a status and income criterion and two others by the degree of the development of the division of labour ("textiles" and "clothing").

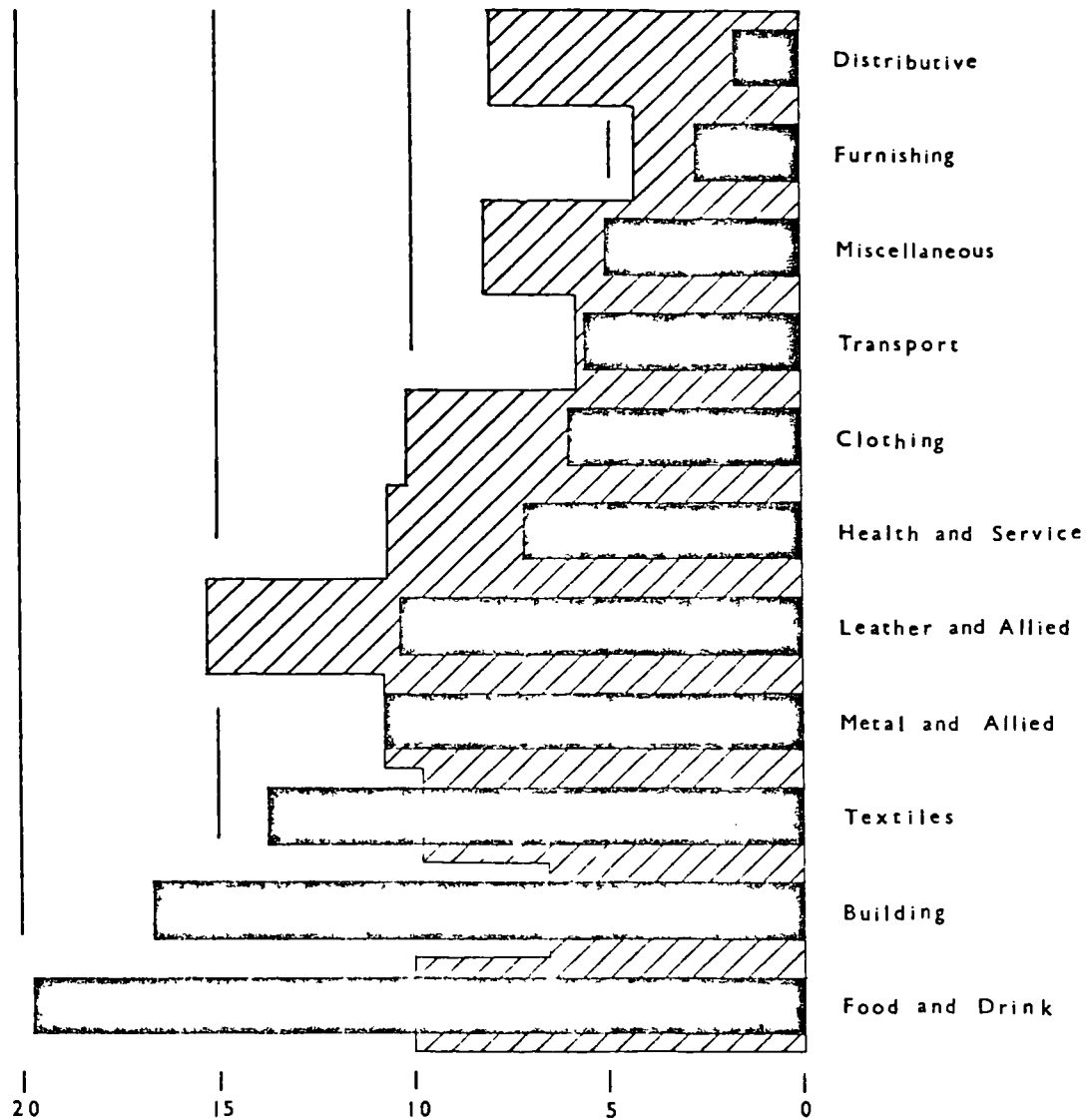
Having made these general warnings we may present a "Breakdown of Trades" in the form of a graph that compares the London hanged to the taxed apprentices in Britain before mentioning more particular criticisms. In this graph we have employed eleven categories determined mainly by those used by J.F. Pound.

¹

Op. cit.

GRAPH ~~XXV~~

Breakdown of Trades: the London Hanged versus Taxed Apprenticeship Indentures in England. (1)



Black bars percentage of the London hanged belonging to a trade.

Grey background percentage of apprenticeship indentures taxed under 3 Anne c. 9.

It will be seen that the proportion of hanged apprentices in the textile, the building, and the food and drink trades was greater than the corresponding proportion belonging to those trades who were taxed under 8 Anne c. 9. Yet, these differentials tell us little about productive relations or the division of labour in London. In part the classification problem is a reflection of the actual difficulties of denominating trades. "Glass cutters," "glass grinders," and "glass polishers" are defined apparently by type of operation. "Butcher" might mean men working either as cutting or carcass butchers and within those subdivisions might appear great Smithfield dealers or apprentices sweeping the floors of the White-chapel slaughterhouses. Should a "silver trimmer" be classified under "metal work," "clothing," "textiles," or miscellaneous? One can think up arguments for any of these. Should a cooper be placed under "wood-working," "metalworking," "transport," or "distribution"? "Collier" might refer to coalheavers, coal carters, coal dealers or to the men who owned coal ships or those seamen who worked them. These problems can only be solved by the actual investigation of the particular trade involved.

The differentials in the graph can usually be accounted for by the relative predominance in the group of one or two trades. The differential in 'food and drink' is related substantially to a differential in a single trade, the butcher's. The building differential is largely accounted for by the relatively high proportion of sawyers, brickmakers, and plasterers among the hanged apprentices. The relative predominance of weavers among the

London textile trades accounts for the differential in textiles. It appears that the differentials as they emerge from the graph are more the result of differences between London production in particular and a national sample of workers in general, than they are the result of 'crimogenic' occupations.

The study of particular trades rather than groups of trades raises fewer problems. Table XIV, "The Ten Most Numerous Trades in Three Samples in the First Half of the Eighteenth Century," avoids the methodological problems necessarily entailed by classifying trades in groups.

TABLE XIV

THE TEN MOST NUMEROUS TRADES IN THREE SAMPLES IN THE FIRST
HALF OF THE EIGHTEENTH CENTURY

Trade	Number	Percentage
<u>1. The Hanged</u>		
Weaver	46	9.6
Butcher	45	9.4
Shoemaker	34	7.1
Barber & wigmaker	23	4.8
Carpenter	21	4.3
Blacksmith	17	3.5
Waterman	15	3.1
Brickmaker	14	2.9
Baker	14	2.9
Gardiner	12	2.5
TOTAL	241	50.4%
<u>2. The Taxed</u>		
Cordwainer	90	8.9
Tailor	63	6.2
Barber & wigmaker	54	5.3
Weaver	50	4.9
Carpenter	45	4.4
Mercer/merchant	38	3.7
Cooper	37	3.6
Butcher	34	3.3
Baker	29	2.8
Joiner	23	2.2
TOTAL	463	46.1%
<u>3. The Bonded Migrants</u>		
Carpenter	53	8.7
Weaver	50	8.2
Cordwainer	39	6.4
Bricklayer	33	5.4
Tailor	30	4.9
Clerk/bookkeeper	24	3.9
Joiner	18	2.9
Barber & wigmaker	18	2.9
Cooper	17	2.7
Smith	16	2.6
TOTAL	298	49.4%

The differences among the three lists are less important than the similarities. Some of the differences may be ones of nomenclature only. "Shoemaker" and "cordwainer" for the purposes of these comparisons we take as signifying the same work. "Gardiner" appears only in the list of the hanged, but it may include people whose work was substantially the same as those whose work is classified as "husbandry" in the bonded emigrant list. Substantial differences exist among the lists too. Almost ten percent of the hanged apprentices were butchers. In contrast butchers supplied only 3.3 percent of the taxed apprentices and 1.6 percent of the bonded servants to America. Clerks and bookkeepers provided about 3.9 percent of the bonded migrants, mercers and merchants 3.7 percent of the taxed indentures, yet among the hanged who had served apprenticeships there is only one mercer and one shopkeeper. The complete absence of any watermen from the taxed list and the migrant list is puzzling when 3.1 percent of the hanged apprentices were watermen. Despite these differences among the lists, it is the similarities that are most striking.

Two stand out especially. First, the ten most numerous trades in each group account for about half of the persons mentioned in each of the samples, though each sample as a whole contains around a hundred different trades. Second, we note the similarity of the particular trades of each group. Four of them (weavers, cordwainers, carpenters, and barber and perriwigmakers) appear in all three samples. These four provide 51 percent, 54 percent and 52 percent of the ten most numerous trades of the hanged, the taxed, and the bonded migrants respectively. Three or four

trades (depending on whether we count the categories "mercator/merchant" and "clerk/bookkeeper" as identical) appear in the lists of the taxed and the bonded migrants, but not of the hanged. However, they account only for 34 percent and 29 percent of the respective totals. "Butcher" and "baker" appear in the lists of the hanged and the taxed but not among the

the emigrants. While perhaps none of these three samples of trades among the eighteenth century labouring poor is typical or representative, surely it is surprising to find among such quite different samples such a large measure of similarity.

It may be unnecessary to remind the reader that in recent years the history of the eighteenth century London poor has been deeply influenced by the assumption that its internal stratification was characterized by a clear demarkation between artisans, apprentices and journeymen on the one hand and vagrants, criminals and "riff-raff" on the other. This sociological segmentation parallels the eighteenth century moral division between the "industrious" and the "idle" poor. It also bears a close resemblance to the nineteenth century political division between the ("respectable") working class and the lumpenproletariat. The work of the London historian, George Rudé, has done most to establish the validity of this view, yet it is one which the results of our investigation force us to question.

Dr. Rudé of course has been primarily interested in the London labouring poor only during extraordinary moments of its activity, that is, at times such as 1736, 1768-69, and 1780 when it engaged in widespread,

serious riot.¹ At those times he discovered that participants in popular disturbances were on the whole "wage-earners" and "rarely criminals, vagrants, or the poorest of the poor."² Later we shall find occasion to question the usefulness of this division as it is applied to the labouring poor in moments of riotous, collective action. Here we wish to question only the conclusion drawn from these studies, that the division he discovers at times of riot rests upon a more or less permanent division within the eighteenth century working class. Rudé distinguishes three groups within the London 'lower orders.' First, "the small shopkeepers and craftsmen, both masters and journeymen." Second, "the unskilled workers in more or less regular employment: the porters, watermen, water-carriers, day-labourers, and domestic servants." Third, the "destitute, beggars, homeless, vagrants, part-employed, sempstresses, and home-workers, criminals, prostitutes and lumpen-proletarians (Marx's later term), whom the more respectable workers ... thoroughly despised and rejected."³

We are not in a position to refute this classification in every respect, but insofar as it rests upon the actual occupations of different parts of the

¹ See Wilkes and Liberty: A Social Study of 1763 to 1774 (1962). Rudé's earlier articles are conveniently assembled in the author's anthology, Paris and London in the 18th Century: Studies in Popular Protest (1970). I shall abbreviate the former work, Wilkes and Liberty, and the later Paris and London.

² Wilkes and Liberty, p. 15.

³ Paris and London, pp. 50-51.

labouring poor it is difficult to sustain. If there is any means of studying those whom Dr. Rudé variously calls the "down-and-outs," the "layabouts," the "riff-raff," the "slum dwellers," or the "criminal elements" surely it is the Ordinary's Accounts of those hanged.¹ Yet it is precisely the results of that study which have shown, in comparison with other similar 'samples' of the labouring poor, that the occupational structure of the "criminal elements" was more similar than not to that of the London "lower orders" as a whole. The mere fact that a rioter may have been apprenticed to a trade or gained a livelihood by wage earning cannot distinguish him from "criminals" because they too had often been apprenticed to a trade and had at some time or other in virtually every instance lived by wage labour. Nominal, occupational differentiation, therefore, is not in itself sufficient reason for finding the house of the labouring poor divisible between a "respectable" ground floor and a "criminal" cellar.

Dr. Rudé does not rest his case on occupational differentials alone: he also suggests that the distinction can be based on the social topography of London, and here owing to the absence of sound parochial studies of the London social structure the problem is more complex. He implies in remarks scattered through his work that a geographical separation characterized the division between the "wage earning" part of the labouring poor and its "criminal elements." St. Giles-in-the-Fields and St. Andrew's, Holborn, are said to have been the site of the latter. The former on the other hand dominate the populations of the northern parishes of Shoreditch

¹ Paris and London, pp. 301, 28, 29, and 280-3.

and Spitalfield.¹ O.H.K. Spate, the only student to my knowledge who has considered the subject of occupational and class topography in eighteenth century London as a whole emphasized the tentative nature of his findings.² Even so, when these were presented in a map ("The Occupations of London in the 18th Century") the picture of Holborn, St. Giles-in-the-Fields, and St. Martins-in-the-Fields is one that combines "industrial areas and artisans' dwellings" with the "amusements and vice areas."

459 of those hanged at Tyburn for whom we have biographies were born in London. Of these, the Ordinary failed to specify further the place of 150 them, noting it simply as "London" or "Town." The area of London in which the rest were born is indicated in our map, "The Parish or Ward of birth of the London Hanged in the Eighteenth Century." The two parishes where the greatest number of the hanged were born were St. Andrew's, Holborn, and St. Giles-in-the-Fields with thirty-three and twenty-five of the hanged born in them respectively, apparently establishing them as the most dangerous parishes." However, before accepting this conclusion two other considerations ought to be borne in mind. First, with the exception of St. Martins-in-the-Fields whose population in 1750 has been estimated at 40,000, these two parishes were the most populous of all London parishes at mid-century, St. Andrew's with about thirty thousand and St. Giles's with almost thirty-five thousand, populations

¹ See for instance, Wilkes and Liberty, p. 15.

² O.H.K. Spate, "The Growth of London" in H.C. Darby (ed.), Historical Geography of England Before 1800 (Cambridge 1936), pp. 529-548.

THE PARISH OR WARD OF
BIRTH OF THE LONDON HANGED
IN THE EIGHTEENTH CENTURY



A KEY TO THE WARDS OF THE CITY OF LONDON

- 1..... Portsoken Ward
- 2..... Tower Street Ward
- 3..... Aldgate Ward
- 4..... Lime Street Ward
- 5..... Bishopsgate Ward
- 6..... Broadstreet Ward
- 7..... Cornhill Ward
- 8..... Langbourn Ward
- 9..... Billingsgate Ward
- 10..... Bride Ward Within
- 11..... Candlewick Ward
- 12..... Walbrook Ward
- 13..... Dowgate Ward
- 14..... Vintry Ward
- 15..... Cordwainers Street Ward
- 16..... Cheap Ward
- 17..... Colemanstreet Ward
- 18..... Bassinghall Ward
- 19..... Cripplegate Ward
- 20..... Aldersgate Ward
- 21..... Farringdon Ward Within
- 22..... Breadstreet Ward
- 23..... Queenhithe Ward
- 24..... Castle Baynard Ward
- 25..... Farringdon Ward Without

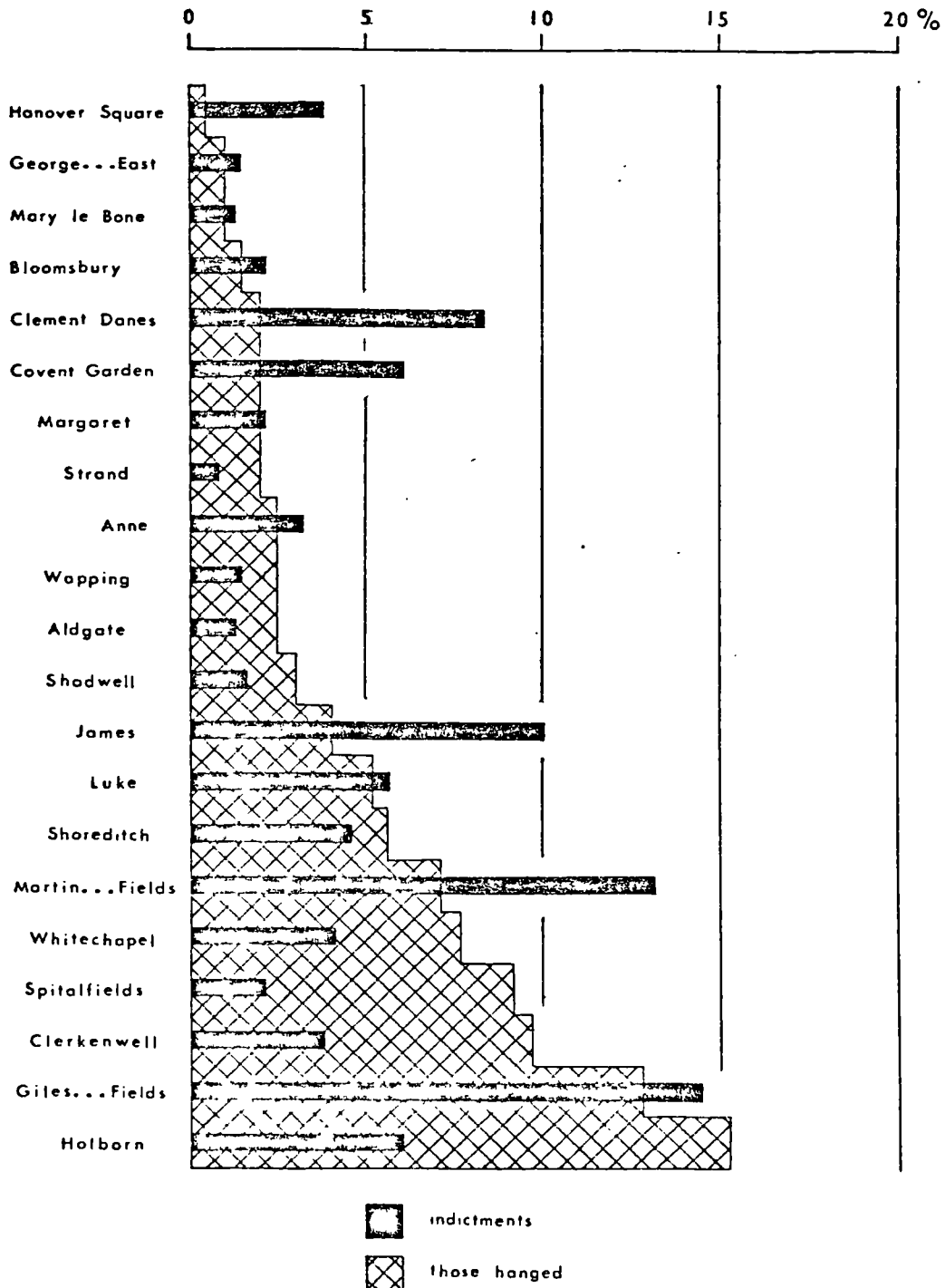
about half again as great as the twenty thousand in Spitalfields in which parish eighteen of the hanged were born.¹ Second, we should note that following St. Andrew's and St. Giles's were Clerkenwell, Spitalfields, and Whitechapel where seventeen, eighteen and fifteen of the hanged were born. In contrast to the parochial distribution of indictments where perhaps a case could be made that identified the West End with its vice, "luxury," and parasitism as the most dangerous part of the metropolis, the parochial origins of the hanged show no striking difference between what are said to have been the safe and industrious parts of town as against the dangerous and idle parts. Our ^{GRAPH XXII} Table , "The Percentage Distribution in Some London Parishes of the Parochial Location of Indicted Offenses in 1740 Compared to the Parochial Origin of those Hanged," summarizes the contrasts between the location of indictments and the birth places of the hanged.

Just as those who jump to conclusions about the demographic, occupational and 'moral' characteristics of the different parts of eighteenth century London should show greater caution notwithstanding the frightened or arrogant pronouncements on the subject by genteel contemporaries, so we would be foolish to make similar judgments prior to the surprises that careful social reconstructions of individual parishes and areas of London will bring. We wish only to show that the evidence for making a 'moral' topography of eighteenth century London is very thin,

¹ M.D George, Appendix III (B), "The Growth of London: Houses and Population."

GRAPH ~~XXVI~~

Percentage Distribution in Some London Parishes of the Parochial Location of Indicted Offenses in 1740 Compared to the Parochial Origin of those Hanged.¹



and that the evidence we have been able to adduce by no means confirms the conventional picture painted by either M. Dorothy George or by Dr. Rude. If the evidence on this subject warrants continued skepticism, it need not paralyze our search for explanations of eighteenth century London crime. It only shows that explanation cannot be situated within a conventional view of the internal segmentation of the labouring poor. Where then do we proceed in our search?

The direction that the work before us must take is clear: we must chose a particular nexus of London life and work within which to study crime. This much was suggested in Chapter Four. The value of the Accounts does not lie in the fact that they might enable us to make ever more refined systems of stratification of the labouring poor: it lies in the fact that they open up to view particular sites of exploitation. When we recall that the phrase "labouring poor" referred in the eighteenth century to the class of "wage earners" we remind ourselves that as the other half of the wage seller is the wage buyer, so the labouring poor must be understood in relation to their masters. Neither the "social" ^hhistory of the labouring poor nor that of their crimes can be separated from the "economic" history of capitalist accumulation in the eighteenth century. While this proposition may be accepted or discarded as a generality, its meaning gathers force only when we enter into the concrete relations of production in the eighteenth century. Crime and servants should be analyzed in connection with the problem of parasitism. The crimes of sailors can be understood only in the context of casual labour.

Crime and butchers must be analyzed in terms of the centralization of marketing. The crimes of weavers must be located within the problem of the transition to the factory system. To do this requires nothing less than the historical re-creation of whole branches of manufacture in the eighteenth century, a task that we choose to neglect rather than treat superficially. Instead, we examine in Part Four three sectors (hatters, tobacco porters, and coalheavers) hoping to find in their particular relations of production the explanatory realm of crime. The results shed light on the more prominent but obscured problems that we shall have to tackle elsewhere.

PART FOUR:

CRIME AND CAPITALIST ACCUMULATION DURING THE PERIOD
OF MANUFACTURE

"In Manufacture the revolution in the mode of production begins with labour power, in modern industry it begins with the instruments of labour."

Karl Marx,
Capital, I, xv.

Chapter Nine:

HATTERS AND BUGGING

"My father gave me a bond for my Honesty for what
I steale or pilfer away to my Master."

John Coggs (1702),
Bodleian, MS. Eng. misc. f. 78.

"Since handicraft skill is the foundation of manufac-
ture, and since the mechanism of manufacture as a whole
possesses no framework, apart from the labourers them-
selves, capital is constantly compelled to wrestle with
the insubordination of the workmen."

Karl Marx,
Capital, I, xiv.

In this section we wish to show that the crimes committed by London hatters can be properly understood only in the context of the changing industrial organization of that trade. The disintegration of corporate regulation with the attendant development of the division of labour and the domestic system revolutionized the mode of production. The types of struggles of journeymen hatters during this transition included misappropriation and crimes as well as more familiar types of collective organization. These struggles both hastened and obstructed capitalist development, a contradictory movement which we touch only indirectly. Nevertheless, the changing relations of production must be described if we are to understand either the crimes committed by hatters or the strategy of the Masters who tried first to establish discipline by corporate regulation, then by recourse to the criminal sanction, and finally by changing the basis of production. We beg the reader's patience, therefore, while we leave the subject of crime for a moment to outline the main elements of change in the trade during the first half of the eighteenth century.

Even in good times the hatter's work was not to be envied. "It is a very ingenuous Business; but a dirty one." The work required "no great Strength and education for the hatter may be as mean as he pleases." Thus a mid-eighteenth century trade dictionary dismissed a trade whose "art and mystery" in England at least had vanished except as an appela-

tion in the official name of the Hatters and Feltmakers Company.¹

The preparation of the felt required few expensive tools, the hatter's bow, a basket and his "plank" (bench in other trades) were the most important, and the work of carding and bowing the stuff into felt might be done in the hatter's garret. The process of "proofing," "carroting," "roughing" and "secretage" on the other hand submitted the material to hot liquors of shellac, vinegar, glue, solutions of acid and mercury nitrate and beer grounds and these were contained in great vats fueled to boiling, and hence required more working space than a journeyman might find between his bed and kitchen gridiron. They were performed in the workshop or "battery." Blocking, finishing, and shaping, the processes which completed the hat, need not have been located in the workshop at least not for the sake of the equipment they required.

Besides working in nasty materials the people of the trade in common with other fashionable trades suffered from the vagaries of a capricious market. In any case the business was seasonal with a rush of work in the spring and an autumn slack. Owing, it was said, to the noxious character of much of the work and the uncertainties of the market, hatters were proverbial in "their intemperate habits," though this reputation was founded as much upon the social relations within the productive process as upon its physiological effects or determinants, ex-

¹ R. Campbell, The London Tradesman (1747), pp. 221-222. By way of contrast to this rough sketch is the detailed appreciation of the hatting "mystery" and the advantages of cooperation in Diderot's Encyclopédie (Paris 1771), vol. iii, pp. 151 ff.

ternal to production, in the market.¹

Hatters in the three main parts of the work, bodymakers, finishers and shapers or as they were described in the early nineteenth century, grave diggers, curates and bishops, had evolved a culture at work which incorporated not merely a technical jargon but methods of settling disputes⁵, ritualized drinking customs, opposition to the masters, and the organization of mobility. Technical jargon and the journeyman's "culture" were not distinguishable until the mid-nineteenth century when the latter, already defunct, were recalled by old hatters telling tales of their parents with a nostalgic and antiquarian air.² Formerly the science of production and the 'culture' of journeymen were integrated in the subjectively determined relations at work which were at once a source of the journeymen's strength and an obstacle to capitalist development.

In early eighteenth century France the hatter's compagnonnage organized initiation into the trade, work rules, and the tramping system through the detailed application of religious ritual and symbolism. Tools of the trade possessed totemistic powers. Entrance to the trade was ^{an} ~~as~~ elaborate (and frightening) rite de passage. From their slightly

¹ J.D. Burn, A Glimpse at the social conditions of the Working Classes during the early part of the present century (n.d.), p. 39, as quoted in M.D. George, op. cit., p. 283. Our sketchy treatment of the labour process is derived from Anon., The Book of Trades or Circle of the Useful Arts, 5th edition (Glasgow, 1837), pp. 270-275, and The Encyclopedia Britannica 11th edition (1910).

² J.H. Hawkins, History of the Worshipful Company of the Art and Mystery of Feltmakers of London (1917) passim.

different viewpoints the Church and the masters condemned these religious incrustations as sacreligious or a waste of time.¹ Diderot in describing the trade of course ignores this culture but identifies one of its most important effects: "Furthermore no single man can solve the mechanical problems, this requires the experiences of an infinity of men."²

Among London hatters the culture at work appears to have been exclusively secular but opaque for all that. It seems to have had three functions which, at the risk of discovering more than the deliberately concealed evidence would warrant, we may describe as follows. First, it appears to have organized the mobility of the trade. The house of call with its convivialities was the place where news of work could be had as well as "dancing and footing it, and drinking, of course."³ Geographical mobility, in part the consequence of the seasonal, instable

¹ Emile Coornaert, Les Compagnonnages en France du moyen age a nos jours (Paris 1966), pp. 352-4. Pages 425-6 contains a chronological list of disturbances by hatters in the eighteenth century.

² Si l'on se rappelle la multitude prodigieuse de petites précautions, qu'il a fallu prendre pour arracher les poils, les couper, les arçonner, les préparer, pour les lier ensemble lorsque le souffle aruoit pu les disperser, leur donner plus de consistance par le seul contact, que l'ourdissage n'en donne aux meilleures étoffes: si l'on se rappelle ce qui concerne l'arçonnage, les croisées, la foule, l'assemblage des grandes et petites capades, les travers, la teinture, l'apprêt, &c. on conveindra que ce problème mécanique n'étoit pas facile à résoudre. Aussi, n'est ce pas un seul homme qui l'a résolu; ce sont les expériences d'une infinité d'hommes." Encyclopédie (Paris 1771), vol. iii, p. 161.

³ E.P. Thomspson and Eileen Yeo (eds.), The Unknown Mayhew (1971), p. 444.

market, was organized by the "turn" or the tramp with tickets, cash, and other perquisites: London was the center of the trade (in the eighteenth century) and the "Great Turnhouse."¹ Second, the culture assured some pleasure during work. A new man paid his "footing" or if not he was shunned as a "straight stick." Footing was money for beer or "johnny" served to the men by the "johnny boy." Each week the "constable" collected money for the next week's beer. Third, it mediated and enforced opposition to the masters by preventing masters from intervening in shop disputes and by making it difficult for a single hatter "to creep" or settle accounts privately with the employer. The chairman of the "garret" or shop (a rotating position) called meetings to organize deputations to the employer. The dangers of victimization were shared as membership in this delegation was decided by "stokeing" (a method of casting lots). "Corking" settled disputes of work (taking a wrong iron off the kiln, for example): the shop went on the "fly" (stopped work) sent out for beer, and then various ritualized accusations and defenses were exchanged until the matter was settled sometimes only after "dozening" or appealing to neighbouring garrets putting them on the fly too.² While this may be an idealized picture depending as it does on the memories of old hatters in the nineteenth century, it does correspond in theme to a point which on the basis of

¹ Charles Booth, Life and Labour of the People of London, 2nd series, vol. III, Industry (1902-1904), p. 39

² Hawkins, op. cit., pp. 18-24.

quite different evidence emerges in the eighteenth century, namely, the power that hatters attained from their control over the labour process.

In the eighteenth century times were not kind to the trade. The resulting difficulties had the most interesting effects and as these will transform its industrial organization we may pause briefly to examine the causes of the slump. The causes may be discussed under two heads: on the side of costs -- monopoly and war, and on the side of income -- competition and "wages."

The downy, underfur of the beaver as distinct from the longer "staple" fur used by the furriers was soft and spiccate, attributes well fitted for making a hat's nap whose "bats" or foundations were composed of the cheaper coney or sheep wool. The Hudson Bay Company in providing English hatters with the valuable pelt of this gentle beast enjoyed a monopoly of supply that gave it great power. All hatters, great and small bought pelts at the Company's auctions held at Beaver House, Company headquarters in Fenchurch Street. The Company preferred to hold auctions infrequently, to sell in large lots only, and whenever possible to avoid the uncertainties of public auction by selling as much as possible beforehand privately. Although 75% of the Company's fur was sold to hatters, it gripped the dispersed trade by the throat.¹ In 1690 the feltmakers obtained legislation making ^{etc} ~~the~~ practices more

¹Murray G. Lawson, "The Beaver Hat and the North American Fur Trade" in Malvina Bolus (ed.), People and Pelts: Selected Papers of the Second North American Fur Trade Conference (Winnipeg, 1972), p. 31.

difficult. Still, a great company preferred great customers and its effect on the hatting manufacture was to centralize wealth and concentrate production. In 1722 the hatters again obtain^{ed} favourable legislation: at that time the import duty on beaver and the drawback on its re-exportation were alike reduced by 60%.²

Other minor and major problems affected the Company. Fraud and small time smuggling by its servants in Canada and England were endemic. "The loose and unbusiness like methods then in vogue" which included the shipping of pelts in insecured bundles made pilfering at their London docks simpler.² Men working the ships of the Company were required to post bonds of honesty, swear affidavits and submit to searches after unloading at the docks. When the main fur auctions were concluded the servants of this mercantile giant stooped to sweep the leavings on the warehouse floor for strands of beaver fur which were sifted out and sold in separate lots. The control of pilfering by placing it within acceptable limits was a matter of internal police and achieved easily. The maintenance of monopoly over castor canadensis by the expropriation of the North American Indians and war-

¹ ~~George I. c. and for the earlier Act see~~

² Harold A. Innis, The Fur Trade in Canada: An Introduction to Canadian Economic History, revised edition (Toronto, 1970), pp. 126-27 et seq. for discussion of fraud. Also see Beckles Wilson, The Great Company being a History of the Honourable Company of Merchant-Adventurers trading into Hudson's Bay (Toronto, 1899), vol. ii, pp. 35-39.

fare against the French was a matter of transcontinental struggle and achieved at the expense of compromise and temporary depression in the English hatting trade.

The Company's trade during the first fifteen years of the eighteenth century all but came to a standstill owing to the wars with France, causing a severe crisis of liquidity in the Company's finances.¹ Dividends began to be paid out again after the Peace, yet the trade continued to stagnate. As the area of beaver trapping moved beyond the St. Lawrence drainage basin into the Saskatchewan plains, costs of transport increased and, a more serious problem, the intricate pattern of militarized Indian tribes, commodity-producing tribes, and victimized tribes, a pattern manipulated by the Company's sales of rifles, had to be reproduced.² During the third and fourth decades of the eighteenth century a

¹ K.G. Davies, "The Years of No. Dividence: Finances of the Hudson's Bay Company, 1690-1718" in Malvina Bolus (ed.), op. cit.

² John C. Ewers, The Blackfeet: Raiders on the Northwestern Plains (Norman, Oklahoma, 1958), tells this story. It could be told too by the study of various images of the beaver: a rodent and a pest to the latter 19th century, a construction engineer in the mid-19th century, possessing supernatural powers in the Blackfeet's early cosmogyny, in the 18th century it possessed to the Indians the "magic" of the commodity ("He makes for us kettles, axes, swords, knives, and gives us drink and food without the trouble of cultivating the ground," quoted in Innis, op. cit., p. 28) and as another aspect of the commodity the competitive instincts of a member of civil society according to Samuel Hearne one of the Company's trappers in the 1760s who was struck by the animals's "degree of sagacity and foresight of approaching evils," A Journey from Prince of Wales's Fort to the Northern Ocean (1795), p. 226.

new relationship of forces was established among the Plains Indians. Wars among the Shoshone, the Fox, the Assiniboines and the Blackfeet resulted in a new pattern that elevated the Blackfeet to the role of militarized middlemen in the beaver trade and reduced the others to the subordinate role of beaver trapping. Until the 1740s the supply of pelts in England was low and their cost high. The price of the finished product, the beaver hat, as it appears from the prices paid by Greenwich hospital anyway, increased from two shillings and sixpence in 1700 to three shillings and twopence by 1730.¹ At about mid-century, with stability established in the Plains, trade and dividends once more increased apace.²

The master hatters thus faced difficulties in obtaining a plentiful, cheap supply of pelts, in the first half of the eighteenth century. They were also confronted with a contracting export market for their product throughout the century. In 1745 they claimed that the European and Spanish American markets were lost to the French.³ French protection and the English drawback on Hudson's Bay re-exports, they argued in

¹ William Beveridge, et al, Prices and Wages in England, vol. i, Price Tables: Mercantile Era (1939), p. 293.

² Innis, op. cit., pp. 85-145. Also Murray G. Lawson, Fur: A Study in English Mercantilism, 1700-1775 (Toronto 1943), University of Toronto Studies, History and Economics Series, vol. ix.

³ P.R.O., Chatham MS., Vol. 81, Memorial ... of the Company of Feltmakers, 12 March 1764.

1752, resulted in great decay of English production.¹ Indeed the data they supplied the Privy Council in 1764 show a staggering decline of sales between 1736 and 1762 among their major foreign buyers, Portugal, Spain, Holland and Germany.² Not only the tariff structure of France and England, complementing one another against the English hatter, vitiated against prosperous trade, but the expense of English labour compared to American and French compounded the difficulty.³

Wage regulation had a brief but interesting history in this trade corresponding to the short rise and fall of the corporate organization of masters and men. In October 1667, a few months after the Company of Feltmakers was chartered, a dispute between the journeymen and the masters was settled by the Court of Aldermen under the following terms. No master was allowed to employ a 'foreigner,' that is a hatter not free of the Company. Journeymen were to give and receive a month's warning against quitting work. They were responsible for making good all spoilt work. Finally the Court of Aldermen agreed to fix a piecework list annually and the journeymen were forbidden to raise their wages by combination. Beginning in 1685 with the arrival of French hatters

¹ Lawrence H. Gipson, The British Isles and the American Colonies: The Northern Plantations, 1748-1754, the British Empire before the American Revolution, vol. iii (New York 1960), p. 240.

² Acts of the Privy Council, Colonial Series, 1745-1766 (1911), pp. 651-2. In 1736 13,587 dozen beaver hats were exported to Portugal. In 1762 this dropped to 2,397. Over the same period exports to Holland fell by a third. To Spain from more than five thousand dozens to 407.

³ Ibid.

in Wandsworth and Battersea a series of disputes between masters and men over the terms of the Company's organization of the trade began. The journeymen accused the masters of employing foreigners, in particular, the French hatters, country hatters who'd come to London attracted by the possibilities of working without having served an apprenticeship, and "sindging boys" or young men not apprenticed.¹ The masters in turn accused the journeymen of forming combinations and of accepting work from skimmers and wool merchants who "weighed out the stuff" to be made up at home under piece rates. Competing forms of industrial organization were used by both sides as it suited them in order to get advantage in the Company organization. The result: the Company soon lost control of the industry. In 1694 legal proceedings against the putting-out merchants failed to bring the masters back to their monopoly of employment. In 1696 the Court of Aldermen set wages again but at the same time made it legal for masters to employ foreigners should the free journeymen reject the rates. Though the journeymen tried to hold out against these, they had by 1698 when they lost the battle against the employment of sindging boys decided to forgo corporate organization in favor of the "clubs," "societies," and "combinations" of their own.²

¹ The O.E.D. suggests "rinsing boys."

² This paragraph summarizes much of the material in George Unwin, "A Seventeenth Century Trade Union," The Economic Journal vol. x. (September 1900), pp. 394-403. Journeymen working at reduced rates were tied to a wheelbarrow and "in a tumultuous and riotous manner" drawn through the streets of London and Southward during the disputes of 1696-1698.

In the depressed conditions of trade in the eighteenth century the journeymen hatters reactions took several forms. Mobility - European, trans-oceanic, and institutional - reflected a free trade in the commodity labour in contrast to the restrictions affecting hats.

In 1727 an observer was struck by the large number of English hatters who had fled the stagnant conditions of the English trade to work in France.¹ Five years later the Wardens of the London Feltmakers Company complained of the American practise of procuring "many of the artificers of Great Britain to goe to the said Plantations to whom they give great rewards."² In England mobility increased too. By 1752 the ratio of "foreigners" to hatters Free of the City and belonging to the Feltmakers Company was six to one.³ Institutional mobility and geographical mobility were two faces of the same phenomenon. Working hatters organized themselves on the basis of this mobility allowing them to escape the traditional, corporate control upon prices, wages and apprenticeship. They were among the first English workers to arrange a tramping system with money, bed and board allowed in all 'lawful'

¹ Gipson, op. cit., p. 238.

² Calendar of State Papers. Colonial Series. America and the West Indies 1732 (HMSO 1939), p. 6.

³ P.M. Giles, "The Felt-Hatting Industry, c. 1500-1850, with special reference to Lancashire and Cheshire," Transactions of the Lancashire and Cheshire Antiquarian Society, vol. lxix (1959).

towns, a system remembered by a nineteenth century hatter for the advantages of better wages and its "jolly life."¹

The 'tramp,' a form of organizing unemployment and the "great impoverishment of ... poor families" among hatters of the second quarter of the century, subverted the powers of the masters in the trade. They sought a traditional remedy in protective legislation and the 1732 Hat Act provided them with a strongly worded but weakly enforced law. It was the result of investigations conducted by a Parliamentary Committee in 1731. The Committee on Hat Manufacture heard William Gover, a hat maker and publican, testify that hatters "can scarce get work in that Business." William Morseed, a publican whose establishment was regularly frequented as a house of call, told the Committee that journey-men hatters could not "get Bread to maintain their Families."² The Act attempted to ~~cut~~^{cur}tail American production and to refurbish the frayed apprenticeship regulations in England.³ In neither object was it particularly successful: thirty years later the Company complained again of New York and Massachusetts production and at the same time found that control of the apprenticeship regulations was not the way to control

¹ E.J. Hobsbawm, "The Tramping Artisan" in Labouring Men: Studies in the History of Labour (New York 1964), p. 43. Also Eileen Yeo and E.P. Thompson, The Unknown Mayhew (1971), p. 450.

² J.H.C., vol xxi (29 February 1731/2), p. 824.

³ 5 George II, c. 22. See Richard B. Morris, Government and Labor in Early America (New York 1946), p. 69 and 154.

the power of the journeymen and sought instead other means.¹

The protections of the 1732 Act did not make work any easier to get. Regardless of the state of the trade, hatters still had to make do: the biographies supplied by the Ordinary of Newgate tell us how some of them did. William Booth of St. Giles-in-the-Fields worked for several years as a hatter in Monmouth Street, part of a cheap and old clothing district at Seven Dials. At the end of 1732 he joined his brother who worked for the butchers at Smithfield and went robbing on the highway. They stole thirty-five shillings for which Booth was hanged.² Another Monmouth Street hatter, Samuel Steele or "Smoaky Jack" (a battery worker?), got work in agriculture or labouring for the masons when the hatting trade was slack. With a coalheaver he took to Street robbing and was hanged in 1734.³ "Jack the Hatter" learned the trade from his father. In October 1733 he joined a leather breeches maker and together they "went out upon the Account." He was hanged at the age of twenty-two for stealing a leg of pork worth three shillings in Stepney Fields.⁴ William Bourn, a Dublin hatter, came to London "for insight in his Business" and took up lodgings with an Irish family in

¹ Acts of the Privy Council, op. cit., p. 637.

² The Ordinary's Account, 29 January 1733, and The Proceedings, 13-15 January 1733.

³ The Ordinary's Account, 11 February 1734.

⁴ Ibid., October 1733, and The Proceedings, 5-8 Oct. 1733.

Bishopsgate. He robbed a goldsmith's and was hanged in 1726.¹

Samuel Badham, a London shoemaker, often helped his cousin in coney wool cutting and beaver carding. They went robbing and Badham was hanged in 1740.² These sketches of course do not in themselves provide material that can conclusively show that "the Account" was a reaction to the depression. Other evidence though adds some probability to this view.

In 1729 John Pinzack was prosecuted at the Old Bailey for exercising the trade of feltmaker and hatmaker without having first served out a seven years apprenticeship in the trade. He was found guilty and fined five pounds. While this is the only case that we've found of successful prosecution of this offense, what is interesting in the case is the fact that he was prosecuted by his own journeyman to whom Pinzack mixed and weighed out his wool. The thin account of the trial strongly hints that it was a dispute over the weighing that led to the prosecution.³ Not only were the 1730s a period of protective retrenchment by the master hatters this was also the time that they began their assault upon the journeyman hatter's privilege of "bugging."

In 1785 Francis Grose defined "bugging" as "a cant word among journeymen hatters, signifying the exchange of the dearest materials of

¹ The Ordinary's Account, 27 June 1726, and The Proceedings, 25-27 May 1726.

² Ibid., 6 August 1740, and The Proceedings, 9-11 July 1740.

³ See the account of the trial in The Proceedings, 27-30 August 1729.

which a hat is made for others of less value.... Bugging is stealing the beaver, and substituting in lieu thereof an equal weight of some cheaper ingredient."¹ As a prevalent custom of supplementing the wage in the 1720s and '30s, it was a practise which at that time belonged neither wholly to a legal form of appropriation nor to the criminal sanction though Grose writing in the 1780s is correct to consign it to the latter.

Bugging depended on the specific organization of the labour process characteristic of hat making in the first half of eighteenth century London, that is, upon the domestic or putting-out system. This is a backward mode of production possessing singular disadvantages to the employer. The goal of extracting as much labour as possible from workers must be achieved under conditions where the worker is removed from the master's eye. Direct supervision of the detail of the labour process and constant control over the inventories of raw materials were not possible. Of course, what is "backwardness" from one point of view is advantageous from another and hatters used their technical control over the materials of labour to good purpose. A case in London in 1723 illustrates how. William Hudson, a journeyman hatter, worked for Joseph Best who bought coney wool and beaver stuff from a large hat factor, James Carwell, on the credit of the future manufactured hats. Best sent Hudson to Carwell to fetch a packet of wool. Hudson on his

¹ Francis Grose, A Classical Dictionary of the Vulgar Tongue (1785). See also Partridge.

return "used as he went along to take some of the said Stuff or Wool out of the paper." He took between eight and ten ounces a time which he sold to another hatter for about four shillings, a swindle on the legitimate market.¹

A more serious form of bugging occurred not as the journeyman intervened between the master and the factor but where he appropriated material during manufacture. In 1733, a year after the Hat Act, the master hatters and feltmakers of London mounted an attack upon this type of bugging. In August of that year the Feltmakers Company appointed a committee "to consider and advise with Councill or otherwise what Method is proper to be taken to prevent Journeymen and others from makeing away with Stuff weighed out to them by their Masters."² There is no record of this committee's report. Several solutions to the problem are possible. To incarcerate the work within a single premise under a watching eye is one, and this was achieved at the end of the century, at least in Cheshire and Lancashire. To mechanize it is another and this solution was employed in the middle of the next century. In the domestic system these solutions which transform productive relations are impossible: coercions external to production, social constraints

¹ Corp. Lond. R.O., Sessions Papers, Box 1723-1725, "The Examination of William Hudson, 23 February 1722/23, before John Fryer."

² Guildhall. Feltmakers Company, Court Book, iii (1726-1749) MS. 1570/3, pp. 221-222.

including that of the criminal sanction, provided the only other type of solution.

Where the work process itself did not control the waking hours of hatters the Court of the Feltmakers Company sought to instruct it.

Apprentices were admonished:

You shall constantly and devoutly every Day Morning and Evening on your knees serve God, attending the Public Service of the Church and hearing the Word preached, and endeavour the right practise thereof in your Life and Conversation. You shall be diligent and faithful in your Master's Service, during the time of your apprenticeship and deal truly in what you shall be trusted.... You shall avoid all evil Company and all Occasions which may tend to draw you to the same; and make speedy return, when you shall be sent on your Master or Mistress's errands. You shall avoid Idleness, and be ever employed in God's Service, or about your Master's Business. (1)

Heaven at ten per cent and hell at the Old Bailey, the moral constraints to work could not have been cruder: against such is the figure Tom Idle opposed. Tom Idle struggles as well against the whip and unemployment as against stern homilies.

James Short, the year following the appointment of the Feltmakers' committee, petitioned the Middlesex justices:

that your Petitioner was this Day tryed & convicted of petty larceny in stealing a smale Quantity of Beaver and Coney wool; that your Petitioner hath a Wife & four smale Children & nothing to maintain them but his hand Labour & hath been these six weeks confined in Gaol whereby your Petitioners family is reduced to great hardships & almost starving. That if your Worships should order your Petitioner publick punishment it will be the utter undoing

¹ Hawkins, op. cit., quoting a Company document of 1700.

him so that no Body will employ him or if continued much longer in Gaol must be reduced to a starving Condition.... (1)

The justices accepted Short's request: he was instead privately whipped in the Clerkenwell House of Correction and released, despite a petition from his former employer, John Busby, that the punishment "in Terror of others it may be executed as near the place of the petitioners Abode which is near the Bell Dock in Wapping as your Worships shall think fit."² The Law (or in this case its administration) plainly being inadequate to the Masters' needs they sought to change it.

In February 1746/47 the Master Feltmaker appointed another committee, this one "to consult ways and means to apply to Parliament for suppressing and detecting the Journeymen in relation to their takeing of Stuff and [that] a Contribution be opened in a publick manner at the subscribers Expence."³ Whether the subscribers were too stingy to buy a law, the attempt failed; a year later yet another committee was appointed to prepare legislation which would assure "the preventing of the Journeymen Bugging of Stuff."⁴ Legislation soon followed in "An Act for the more effectual preventing of frauds and abuses committed by persons

¹ G.L.C.R.O. (Mddx. Div.), Sessions Papers, "The Humble Petition of James Short, August 1734," MJ/SP/34.

² Ibid., "The Petition of John Busby, Hatter, August 1734."

³ Guildhall, Feltmakers Company, Court Book, vol. iii (1726-1749), MS. 1570/3, p. 561.

⁴ Ibid., p. 603.

employed in the manufacture of hats."¹ The preamble stated: "Many persons employed in the making of felts or hats ... have of late been guilty of divers frauds and abuses, by purloining, imbezilling, secret-
ing, selling, pawning, exchanging, or otherwise unlawfully disposing of the materials with which they have been entrusted."² A punishment of hard labour and whipping was provided. There is no reason to suppose the Act was successful: no cases appeared at the Old Bailey in the next few years under this Act and eight years later in 1757 the Court of the Company of Feltmakers again considered the problem. They heard a motion which proposed offering a reward of five pounds "to the person or persons who shall discover any journeyman hatter or other person who shall purloin or embezzle the 'stuff' they shall be entrusted with, upon condition that such journeyman hatter or other person shall be convicted of such offense." At a later meeting the motion was considered and dropped.³

In 1750 George Taylor, a Clerkenwell hatter, was hanged for stealing some linen.⁴ In the same year Peter Oldfield, a Southwark hatter, went robbing with a brickmaker. They stole a gold watch for

¹ 22 George II, c. 27 (1749).

² For its passage through Parliament, see J.H.C., xxv, 3-6 February and 2 and 10 March 1748/49. Jerome T. Hall, Theft, Law and Society, 2nd edition (Indianapolis, 19) contains a history of the English law of embezzlement, ~~but see also p. , note below.~~

³ Hawkins, op. cit., p. 65.

⁴ The Ordinary's Account, 3 October 1750.

which Oldfield was hanged.¹ We cannot know whether these crimes were directly related to the crisis confronting the London hat manufacture. The Ordinary of Newgate took no interest in this question and the hanged men themselves left us no record. Peter Oldfield for instance "did not choose to have his Name blasted in Papers after he was Dead" and we have no choice but to respect his wish. Hanging crimes such as highway robbery, burglary and grand larceny did not in the techniques required to commit them require the historian to enter the workshop and discover the actual, daily conflicts of production. In this they are unlike bugging. On the other hand the web of indirect and efficient causes that might lead to such daring (or folly) overlapped with the social institutions of work. A hatter might hear fine stories and good ballads of the "scamp" and a "life of ease" as well as hear news or not of employment as he passed the hours at the house of call. The transition from passivity to action, from a good song to a purposeful whisper, we may imagine, was not difficult to make when hatters could "scarce get work" or their day restricted to serving God on their knees and their masters on their feet. The highwayman's scamp and the hatter's tramp traversed the same roadway. In the 1840s a London hatter considered the effects of the then dying system of tramping. "Habits of vagabondism appear to be generally induced by it, and the civilized artisan is gradually transformed into the predatory (because non-producing) nomad."²

¹ The Ordinary's Account, 26 March 1750.

² Mayhew, op. cit., p. 450.

Between the time that this memory was recorded and Peter Oldfield's hanging much transpired among the London hatters.

Bugging apparently became serious enough to affect exports, at least so the "Makers and Venders of Hats" alleged in their memorial to the Privy Council in 1764. Export declines were attributed to "the great increase in the price of labour in this Country, more particularly in the Metropolis, and the discredit which we are sorry to say, Many of our Manufacturers have fallen into in Foreign Markets, from a deceit and unfairness in their Fabrick."¹ In the generation that followed 1750 the organized struggle of the hatters again emerged after a period of quiescence from the 1690s. The hatters struck for higher wages in 1768 enforcing their stoppage by threatening to destroy the houses of masters who persisted in carrying on work.² While the press occasionally commented on the "decay" of the trade, the journeymen hatters organized their clubs in a national federation in 1771.³ By 1772 this is calling itself a "congress" and during the next five years it adopts byelaws for the trade and establishes exclusive employment of their members.

¹ Acts of the Privy Council, Colonial Series, 1745-1766, p. 637-8.

² The Annual Register (1768); The Gentleman's Magazine (1768); Georges Rudé, Wilkes and Liberty (1962), p. 93.

³ Berrow's Worcester Journal, August 1768. Sidney and Beatrice Webb, The History of Trade Unionism, 2nd edition (1902), pp. 29-30. The Webbs' accept the year 1798 as the foundation of the Journeyman Hatters' Fair Trade Union. Unwin, op. cit., p. 395, on the other hand says that it was formed in 1759.

On 5 February 1777 the House of Commons received a petition from the master hatters of London which repeated the old complaints and introduced some new ones based on the considerable effects upon the trade that the journeymen's combinations had exerted. They "have entered into a Combination (which they call by the Name of a Congress) and have made Byelaws, exacted Fines, and prevented divers of the said Manufacturers from having or taking Apprentices." Powerful enough to close the shops of masters unwilling to submit to the "unwarrantable Proceedings," the hatters' Congress forced their masters to Parliament. They wanted the repeal of legislation limiting the number of apprentices permissible to each master. They wanted either exclusive power to fix wages, prices, and the length of the working day or legislation allowing magistrates the power to do this. Finally, and here they succeeded, they wanted new legislation strengthening the 1749 Act against bugging. "The Petitioners are great and daily Sufferers by Journeymen who embezzle their Materials, and by the Buyers and Receivers of the same, the Punishment for which (by the present laws) hath been found ineffectual on Account of the great Difficulty in convicting the Offenders...."¹ The new law, 22 George III, c. 56 (1777), was passed as a result of this petition, one from the Lancashire hat masters, and a considerable number from northern textile manufacturers. The 1749 Act placed bugging within the pale of the criminal sanction as imprisonment

¹ J.H.C., vol. xxxvi, pp. 118-119.

replaced the fine as punishment. The 1777 Act increased the period of imprisonment from fourteen days to three months for a first offence and three to six months for subsequent offences. A public whipping was added at the justice's discretion.¹

Moral and legal sanctions against bugging had not been effective. Only when the hatter's labour was confined to the factory where the master completed his command over all stages of work was bugging removed from the trade. This process happened first in the north. "Embezzlement has been long since abolished," a master in 1819 observed, "and a man attempting it at the present day would be scouted from the factory where he worked by any honest journeyman therein."² The hatters of nineteenth century London fought a rearguard battle against both the decline of the beaver hat and the decline of their living standards. The former was won by "whimsying" or re-learning the craft in silk. The hatter only delayed the eventual collapse of the trade in the face of competition from northern factories and American feltmaking machinery. The "fair" and "foul" or the "slop" and "honourable" branches of the trade appeared to be the protagonists in this losing battle. The former employed duly apprenticed workers belonging to the Stuff-Hatters' Society;

¹ The best account of the social and industrial background to this Act may be found in Alfred P. Wadsworth and Julia De Lacy Mann, The Cotton Trade and Industrial Lancashire, 1600-1780 (Manchester, 1931), pp. 395 ff.

² quoted in Giles, op. cit., p. 118.

the latter relied upon 'foreign' workers sweating at piece rates in outdoor work organized by garret masters.¹ A strike by the former attempting to recall to the masters the advantages of their ancient cooperation failed in 1821.² "Fair" and "foul" were played off against one another: the principle device for squeezing down the standards of each was the transformation of the hatter's control over the "stuff" of their work from a subversive form of increasing income (bugging) to an oppressive means of reducing it, accomplished through the agency of the pawnbroker.

The story of Macham's "Gift" provides a fitting conclusion. Based on the fields of certain lands at Upminster in Essex, the gift provided twenty shillings each to twenty poor Master Feltmakers a year. Macham himself had practised a thriving business as a pawnbroker in the High Street, Southwark. When workmen in the neighbourhood of Southwark and Bermondsey had "stuff" put out to them by their employers for roughing and bowing at home, they often pawned a portion of it on Mondays for redemption on Saturdays or later. Thus bugging no longer a customary or even illegal means of raising the wage became one of the means of destroying a mode of hat production. Macham exercised this tool to profit in the nastiest of occupations and made money enough from the soft and gentle fur to settle in Essex and turn philanthropist. However,

¹ Mayhew, op. cit., pp. 440-448.

² Unwin, op. cit., p. 395.

by the time he was buried the Liverymen of the Feltmakers of the City of London had lost even the most tenuous connection with those who actually manufactured hats. No genuine claimant of the "Gift" could appear.¹

Describing the changes in the mode of production of hats has taken us well out of the eighteenth century, but by continuing the story into the nineteenth century, we hope to have thrown light upon what must be, from the working hatter's point of view, considered substantial victories in their contest with the masters. From the point of view of the masters those victories must be regarded as obstacles to development; only the collapse of the London trade in the nineteenth century defeated the hatters and paved the way for further development.

We now turn to another branch of London production in the eighteenth century, the tobacco porters, who we shall see were not near as successful in the defense of fixed positions as the hatters had been.

¹ Hawkins, op. cit., pp. 118-119.

Chapter Ten:

TOBACCO PORTERS AND SOCKINGS

"There was an Agreement among the Prisoners, the first and second Mate, the Boatswain, Gunner, and Captain's Servant to sock, that is to take Tobacco out of the Merchant's Hogsheads, to sell it, and to share the Money among them, it having been said, it was an old Custom so to do."

The Proceedings,
16-24 April 1729.

"There is a kind of Contest in England between Masters and Servants, which I never met with anywhere else, concerning Honesty, and the Servants here have as odd a Notion of Honesty, as really they have of Liberty, and this false Notion of Honesty is such, that in short, it makes Thieves of half the Servants in England."

Daniel Defoe,
The Great Law of Subordination Consider'd (1724).

We may begin with James White. He was born in London of "poor but honest parents, educated in a parochial charity school before he secured a position in one of the river societies of porters, and thereafter worked unloading freight from river craft to the keys and carrying "Goods from the Thames in Carts."¹ Disaster struck him in February 1722 when he was sentenced to seven years transportation by the court at Old Bailey for stealing twenty-eight pounds weight of tobacco belonging to Micajah Perry (who evaluated the loss of twenty shillings) and forty pounds weight of tobacco belonging to William Dawkins (who valued the tobacco at thirty shillings). The principal evidence in his conviction was his own signed ^{confession} ~~conviction~~ before Sir Francis Forbes.² Under the examination of this Alderman he said that he lived south of London bridge in Tooley Street and that he, with a red-headed north-country man, William or "Carrot" Langley, was accustomed to making

¹ The Ordinary's Account, 6 November 1723.

² The Proceedings, 28 February - 3 March 1721/22; and ibid., 16-18 October 1723. See also Corpl Lond. R.O., Sessions Papers, Box 1721-1722, "The Examination and Confession of James White, 8 January 1721/22, before Francis Forbes."

parcels of tobacco off the London keys. On Bear Key, for example, a hundred yards west of the Customs House, they had opened a hogshead and taken some forty pounds of tobacco which they sold to a receiver in Houndsditch.¹

James White rejected the ship discipline imposed by the contractor responsible for transporting felons to America. As a result he did most of the voyage in an enclosure below decks, the "Close Hole," measuring two feet by two by six feet, and subsisted on a diet of salt meat and water. Though the ship arrived in Nevis and Jamaica in the winter those tropic waters must have put James White through a severe test. He survived this and six months in America, "living upon whatever he could get," before he was able to escape and find passage home to England.² He returned to London at the harshest time of year for a river porter, winter, when commercial activity

¹ Most well known as a corn market, Bear Key was also a tobacco wharf (Hugh Phillips, The Thames About 1750, 1951, p. 201). By the identification of the sacks used at this wharf William Escote, a tobacco receiver, was convicted. See below, pp. 448.

² Jonathan Forward was the contractor. He received the money that American planters paid for convict labor, about ten pounds each according to a Surveyor of the Customs at Annapolis. William Edolis, Letters from America, Historical and Descriptive (London 1792). In addition the Treasury paid Forward three pounds a head for convicts transported from London. In 1721 this fee was raised to four pounds. In 1727 to five pounds. "Abbot Emerson Smith, Colonists in Bondage: White Servitude and Convict Labor in America, 1607-1776 (New York, 1971), pp. 112-114.

on the Thames was virtually dead. For a time he hawked fruit about the London streets, but in December 1722 he was seen at Brewer's Key "taking Tobacco out of a pair of Trowzers and putting it into a Shirt." A month later he was seen again "loitering about Porter's Key." It was only a matter of time before he was taken up again: in October he was convicted of returning from transportation before his time was up and in the following month he was hanged at Tyburn.¹

One of White's victims and his prosecutor at two trials was Micajah Perry, father of a future Lord Mayor and son to the founder of a London tobacco dynasty.² As a ship owner, slave trader, creditor to Virginia and Maryland tobacco planters, member of the Board of Trade, purchasing agent for the colonists' trade with the Indians, and a leading banker in New York and Pennsylvania, Micajah Perry had interests in the prosecution of the river porter and fruit hawker, James White, that extended beyond his duties as

¹ The Ordinary's Account, op. cit., and The Proceedings, 16-18 October 1723. The ship "Alexander" transported him. It sailed from England at the end of October. See Marion and Jack Kaminkow, Original Lists of Emigrants in Bondage from London to the American Colonies, 1719-1744 (Baltimore, 1967) which is based upon the Treasury Money Books of Transportation films, P.R.O., T.53/27-42.

² Elizabeth Donnan, "Eighteenth Century English Merchants: Micajah Perry," Journal of Economic and Business History, iv (1931-1932), pp. 71-98.

Alderman and magistrate. Profits had not been high for Micajah Perry. His father was used to a volume of trade ranging between three hundred sixty and four hundred fifty hogsheads of tobacco a year. By 1720 the family's dealings had sunk to one hundred thirty hogsheads a year, almost a quarter of the peak in trade his father had known.¹

Attempts at subtler but more substantial forms of fraud^ulence than those of James White were unable to reduce Perry's losses during the early years of the 1720s.² Sometimes he was able to defraud the revenues by over half of what was due them by colluding with the Thames landwaiters to short-weight his imports ("hickory-puckery") thereby reducing the duty and then by bribing the searcher to longweight

¹ J.H.C., xx (24 January 1722/23), pp. 102-109. In his testimony Perry did not express his family's fortunes in terms of profits or volume to trade but in terms of payments made in duties to the Treasury. His father had paid between 80 and 100 thousand pounds per annum in duties. The son paid 30 thousand. My rough estimate of the volume of trade (expressed in hogsheads) is computed from the figures that Perry supplied, at a constant rate of five pence farthing a pound of tobacco for duty, and from an assumption that the average weight of a hogshead of tobacco was ten hundred-weight gross. Also see below, p. ~~438~~ 438-440.

² For a full discussion of the methods by which the legitimate traders competed with the smugglers of tobacco, see Alfred Rive, "The Consumption of Tobacco since 1600," The Economic Journal, Economic History Series, I (January 1926), pp. 69 et seq.

the same consignment on export ("puckery-hickory") and so increase his drawback.¹ Nevertheless, in 1722 Perry took a loss of one and a half thousand pounds on the five ships he sent to Virginia. In a trade which some years could bring a profit of one hundred and fifty percent on a single voyage this was a severe loss and explains in part the relentless prosecution of James White.²

At the beginning of 1722 when James White suffered his first conviction Moll Flanders was published. Telling the story of a London thief who becomes rich enough to invest in Virginia tobacco plantations, it may be read as a satire on the conditions of capitalist accumulation in a period of corruption and thus as a commentary on the complementary methods of appropriation practised by James White and Micajah Perry, the latter's differing from the former's neither in the commodity they worked nor in point of law

¹ See Joseph C. Robert, The Story of Tobacco in America (New York, 1952), p. 17.

² For the rate of profit of some early 18th century voyages, see J.H.C., xx (24 January 1722/23), p. 104. Perry also attempted to cut his losses by calling in his credits from Virginia planters. In the year White hanged, one of these, William Byrd, wrote, "My affairs are now a little mended with Alderman Perry. I am selling off land and negroes to stay the stomach of that hungry magistrate," quoted in Donnan, op. cit., p. 92.

but only in the scale of his operation and the success attending it. In November as the third edition of the novel was being prepared for the printer Micajah Perry appeared before the House of Commons committee which was investigating abuses in the tobacco trade. A leading witness and probably the instigator of the petition which established the committee, his evidence was primarily designed to attack the smuggling organized by his Scottish competitors, but he was interested too in the smallest additions to his primary costs.¹ Freight was one of these. On the average it cost more than a third again the price of the tobacco in Virginia.² Freight meant costs spread among seamen, ship owners, insurers, lightermen, and porters. When ships needed unloading it meant, to James White, his daily toil, whose value he augmented by taking a cut in the product of his labour. In 1722 capital accumulation to the firm of Perry & Lane required calling in credits to Virginia planters, an attack upon smuggling, participation

¹J.H.C., op. cit. (27 November 1722), pp. 62-63, where the London merchants petition the Commons against (mainly Scottish) abuses in the tobacco trade. Unfortunately the petitioners' names are not included in the Journals. For a full discussion of this Committee's work and the relations between the Scottish and English trade see, Jacob M. Price, "The Rise of Glasgow in the Chesapeake Tobacco Trade, 1707-1775," Studies in Scottish Business History, ed. Peter L. Payner (1967).

²A pound of sweet-scented Virginia tobacco cost in London 7d. In Virginia its prime cost was three farthings. Freight charges amounted to a penny a pound, and revenue duty came to five pence farthing a pound. See J.H.C., op. cit. Jacob M. Price, op. cit. p. provides a different breakdown of costs.

in fraudulence of the Customs, and the attempt to 'rationalize' the forms of payment to their labour force. The latter required firm action through the criminal sanction. While we may accept Micajah Perry's biographer's estimation of his importance to the history of "entrepreneurial functions," we do so realizing that the magistrate was at least as important to the merchant in Perry's case as the thief was to the planter in the case of Moll Flanders.¹

Neither the petty depredations of James White nor the profit losses of Micajah Perry were unusual events in the 1720s. The first thirty years of the eighteenth century were characterized by a severe slump in the tobacco trade, itself part of the stagnation affecting all English overseas trading at the time.² Throughout these decades the Virginia planters complained of "the languishing conditions of the tobacco trade, almost destroyed by the gross frauds and abuses that are lately crept into it." Complaints of low prices filled the reports to the Council of Trade and Plantation.³ The causes of the depression are obscure:

¹ Donaan, op. cit., p.

² W.E. Minchinton (ed.), The Growth of English Overseas Trade in the Seventeenth and Eighteenth Centuries (1969), passim.

³ Calendar of State Papers. Colonial Series. America and the West Indies. Vol. 33 (1722-1723), pp. 297-8, 254, 304; Vol. 34 (1724-1725), pp. 123 and 183; Vol. 35 (1726-1727), pp. 414 ff.; Vol. 37 (1730) pp. 203ff.; Vol. 39 (1732), pp. 18, 97-98, 173-178.

the exhaustion of the Chesapeake tidewater soils, a reduction in the supply of slaves, and (in common with all Atlantic trading) fiercer European competition, were some of the elements leading to the slump.¹ The sudden reduction in profits to London merchant houses led to a serious attack upon illicit trade. In the second half of the seventeenth century the spectacular boom in tobacco imports (increasing from 1.3 million pounds weight in 1640 to 19.8 million in 1693) allowed the enormous profits made by legitimate traders to coexist with a simultaneous smuggling trade without creating serious antagonisms between the two. By the beginning of the eighteenth century the antagonism between smuggling and fair trading was opened.²

¹On the depression in the tobacco trade see Lewis Cecil Gray, History of Agriculture in the Southern United States to 1860 (Washington D.C. 1933), i, pp. 213-228; Arthur Pierce Middleton, Tobacco Coast: A Maritime History of Chesapeake Bay in The Colonia Era (Virginia, 1955), pp. 99-120; John Spencer Basset, "The Relation Between the Virginia Planter and the London Merchant," Report of the American Historical Association (1901), pp. 553-575; and Joseph C. Robert, op. cit., pp. 17-26.

²Complaints were made in the seventeenth century against smuggled tobacco. In 1625, for example, the apothecaries and grocers of London petitioned against "Lewd persons under pretence of selling tobacco keep unlicensed alehouses and others barter with mariners for stolen and uncustomed tobacco to the disadvantage of the petitioners." Such complaints did not lead to the intervention of specially created police ("Riding officers"), nor to the sustained attack upon pilfering nor to changes in the techniques of handling tobacco which were to characterize the first quarter of the eighteenth century. On this, see Alfred Rive, "A Short History of Tobacco Smuggling," The Economic Journal, Economic History Series, iv (January 1929), pp. 554-569.

In 1698 the first enforcement officers of the Customs were organized, "Riding Officers," men who patrolled the southern coast to prevent the illegal export of wool and to repress the smuggled imports of tea, wines, and tobacco.¹

In 1692 the principle London tobacco merchants published a pamphlet, An Essay in Bulk Tobacco, which criticized the importation of tobacco leaves in loose bundles on the grounds that "every sailor and woman and little inconsiderable person can buy Bulk on Board the ship and Squeeze over by little Design part of the duties if not wholly run it, and then carry it from shop to shop and sell it at easy and low rates."² Seven years later Parliament responded by 10 & 11 William III, c. 21 or "An Act ... for preventing ... frauds in the importation of tobacco." "Whereas," the

¹Henry Noel Shore, Smuggling Days and Smuggling Ways (1892), p. 142.

²An Essay in Bulk Tobacco (1692), p. 147. "Shipment in bulk was also favorable to smuggling, for quantities could be concealed in the personal belongings of sailors..." writes L.C. Gray, op. cit., p. 219.

preamble began,

the importation of tobacco in bulk hath given abundant opportunity to ill disposed persons to run the same on shore, without paying His Majesty's customs due thereon, to the great impairing of the revenue, and the no less prejudice of the fair trader, [after September 1700] No Tobacco shall be imported from the Plantations ... but in a cask, chest, or case each containing two hundred weight of neat Tobacco.... (1)

An apparent technological advance reducing the cost of freight charges by reducing handling costs was the direct result of an attack upon the resistance of "Little inconsiderable persons." The result of these moves against smuggling was to cause further concentration and centralization within the organization of the illicit trade. No longer based mainly on petty embezzlers each working his or her own account, it was driven to much larger forms of organization under the control of "owlers" and professional traders employing their own lawyers and maintaining their own

¹ Statutes at Large, xiv, § 4. Throughout the eighteenth century a leading theme in the legislation designed to regulate the tobacco commerce was the establishment of a minimal unit weight for its land carriage and sale. See, for example, 24 George II, c. 41 (1751); 26 George II, c. 13 (1753); and 5 George III, c. 43 (1768). The slump in the trade at the beginning of the century affected other parts of the circuit of tobacco capital. In Virginia the criminal sanction was brought to bear to protect tobacco in ships, shops and warehouses. See Arthur P. Scott, Criminal Law in Colonia Virginia (Chicago, 1930), pp. 212-220.

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armed squadrons.¹

In the spring of 1716 the investigations of a committee of the House of Commons uncovered a widespread London network defrauding the revenue and the fair trader in another way: a "work house" or "cutting house" in Lambeth employed half a dozen workers to cut and dry chestnut, hops, and walnut leaves which were mixed to adulterate tobacco and then sold to warehousemen and exporters in Shadwell, Spitalfields, Queen Street, and St. Katherine's.² Six years later the committee investigating abuses in the tobacco trade to which Perry testified heard complaints from other merchant houses in London and Bristol. The legislation passed as a result of their recommendations attempted at several points to remove various interruptions to the circuit of the English trader's capital. The most important of these was the unification of procedure and administration of the Scottish and English Customs officers. But other reforms, apparently technical in nature, were no less significant. Thus the intricate

¹ Albert Rive, op. cit., p. 562. The process by which legislation against smuggling leads to its greater centralization is well described in "The Originall, Rise, Progress and present State of (those Enemies to England) the Owlars Describ'd," in P.R.O., S.P. 35/78 pt. 1, fols. 132-134. The Acts of Parliament "did indeed make the rich ones leave off going themselves, but by their trusty Servants they hired stout fellows, to run ye bodily hazard...."

² J.H.C., xviii, (March-April 1715/16), pp. 410, 414, and 420-1.

regulations specifying exceptions to standard duties and the rules permitting allowances for swift payment were abolished. Instead a flat allowance of twenty-five percent by weight of tobacco was allowed across the board.¹ This attempt to remove the thicket of opportunity for negotiation, collusion and fraudulence in which the owners, the officials, and the labourers thrived was short-lived.

Three groups of men were intensely interested in the valuable cargoes as they passed through the stages of loading and unloading from the entry in the Thames estuary to settlement in the warehouses and chandlers' shops of London. First, were the owners, the colonial factors, the ship masters, importers, wharfingers and gangsmen. Second, the complicated hierarchy of officials of the City and Customs House: nine Land-Surveyors, thirty-seven Land-Waiters, nineteen patent King's-waiters, between forty and eighty Watchmen, constables, searchers, noon-tenders, twenty-five Weighers in Fee, between 225 and 437 ordinary Weighers, tide-surveyors, and scores of tide-waiters.

¹ J.H.C., xix (27 November 1721), p. 674; xx, pp. 63-64 and pp. 107-108. For the failure of this Act see below pp.

Third, were the men whose labour actually shifted the burdens from ship to shore.¹

At Rye a Customs' sloop set out to accompany the tobacco ship up river in order to prevent unlawful landings from being made along the Kentish coast. At Gravesend four tidesmen embarked on board to begin their search for hidden, loose, or bulk tobacco. They conducted the preliminary inventory of the cargo, checking each hogshead for the Virginia or Maryland cooper's mark for type, amount, and quality of tobacco, later to be re-checked by landwaiters ashore and confirmed by the jerquers in the Customs House. At the ships river moorings opposite the tobacco wharfs lighters arrived to begin the lengthy process of carrying the hogshead to shore. Finally on the key, the narrow strip of cobbled road dividing the river bank from the warehouses and shops along Thames Streets, the three classes of men crowded together in necessary cooperation over the hogsheads.²

¹ See Elizabeth E. Hoon, The Organization of the English Customs System: 1696-1786 (New York, 1938), pp. 141-49.

² The most detailed description of the unloading operations is found in "The Report of the Committee Appointed to inquire into the Frauds and Abuses in the Customs," 7 June 1733, in Reports from Committee of the House of Commons, I, pp. 601-655. The keys were so crowded that carts and goods often had to lie there for days exposed to thieves and weather, see Hoon, op. cit., p. 127.

Altogether perhaps a dozen pairs of hands handled the cargoe as the hogsheads were heaved to the tackle, swung up to the key, rolled to the "King's beam," opened for inspection, checked for luggs, stalks and other impurities, weighed on the eight foot scales, and then resealed and loaded into carts and waggons for their land carriage. For every man that handled the hogshead a hand dipped into the barrel. The Virginia and Maryland planters complained that more than two hundred pounds of tobacco per hogshead were lost during this handling and by "sailors who well know how to dispose of it without paying any duty."¹ They exaggerated the loss as some of it no doubt was due to "settlement" or loss of weight by evaporation at sea. But much of it was lost during the unloading.²

The officers of the City were allowed by custom "tret" (an allowance of four pounds in every one hundred and four) and "tare" (an allowance in the amount of the weight of the container). The Deputy Meter took "fillage." "Bailage"

¹ Calendar of State Papers. Colonial Series. America and the West Indies. Vol. 35, p. 414 (29 June 1729). See also Vol. 39, p. 177 (18 July 1732) for John Randolph's mission to England to find a remedy for the frauds in the Customs that caused the loss of weight in their tobacco.

² George L. Sioussat, "Virginia and the English Commercial System, 1730-1733," Report of the American Historical Association (1905), pp. 75-97.

was paid for the inspection of Merchant Strangers' goods. Two pounds weight per hogshead of "sample" was allowed and "draft" of eight pounds was deducted from the suttel weight for the buyer.¹ The tobacco merchant paid lighterage, primage (payments to the ship's captain for use of cables and ropes and to the mariners for working them), cooperage, portorage, and wharfage.² The various and constantly changing fees, allowances, and gratuities paid to the various customs officers provided most of their income, and, despite several efforts to do so, were impossible to regulate. By 1785 in the import department at Customs House the proportion of fees and gratuities to salaries was nearly four to one; in the export department it was seventeen to one.³ The "husband of the ship" (the owner's shipboard representative) worked closely with the landwaiter in assessing import duties and export drawbacks. Kickbacks in the form of tobacco were returned to the tidesmen and the landwaiters as part of "hickory puckery." The ships "Portage" was an

¹The allowances of "tret," "tare," "sample," and "draft" are described in Sioussat, op. cit., pp. 82, 89, and 92. For "bailage" and "fillage" see Walter M. Stern, The Porters of London (1960), pp. 26, 32, 230, and 290.

²See Hoon, op. cit., note 2, page 252.

³ibid., p. 140.

allowance made to the master for the correct entry of his cargo. Finally, the ship's crew, the lightermen, and the porters took "spillage" and "sockings."¹

Corruption, informal but established and organized by tradition and custom, informed all dealings on the Thames keys. It was the norm of commercial activity. The division between legitimate and criminal transactions was never clear at any level. Purloining, bribery, fraud, collusion, embezzlement, wage-payment, perquisite, the purchase, the sale, the pay-off and the blind eye took forms which were barely separable as part of the daily traffic of the river. A disruption of one part of this intricate business quickly made itself felt throughout the whole. A dispute between rival organizations of porters in the first decade of the eighteenth century illustrates how this could happen.

Since the sixteenth century the Tacklehouse porters enjoyed the privilege of carrying the merchandise of the London Livery companies and of all merchants free of the City. By the middle of the seventeenth century they had become an exclusive body of portage contractors and warehouse managers which relied on the Ticket porters (over

¹ Hoon, op. cit., p. 159. For "sockings," see below, pp. 434.

whom they had jurisdiction) for their actual labour. By 1700 it was no longer possible for the Tacklehouse porters to prevent the emergence of competing contractors from the Ticket porters. The latter formed permanent gangs owning their own slings, hooks, beams and tackle and soon were able to contract independently with wharfingers, lightermen, and ship masters. In theory the Ticket porters held no claim to the right to carry any commodity unless the Tacklehouse porters employed them to do so. In fact, however, they worked the Carribbean and North American trade from a sixteenth century precedent granted to them when that trade amounted to little.¹ As that trade prospered the Tacklehouse porters tried to reassert their monopoly in a long series of legal contests before the Court of Aldermen. The contests took a different form during the daily scramble for work on the river front. Tacklehouse contractors and Ticket gangsmen entered a price war of competitive fee reduction which from the labourer's point of view amounted to a series of wage cuttings. Both groups of portorage contractors began to suffer losses from an increase in embezzlement and pilfering by their porters.

¹ Stern, op. cit., pp. 38-41 and 70-71.

Faced with this threat it was not long before their differences, at least as they concerned the Virginia tobacco trade, were made up.¹

The interdependence of crime, corruption and accumulation on the London docks became clearest in the 1720's. "The long depression of the third decade" provoked tobacco merchants and their allies on the Bench and in Parliament to improve riverside handling and freight relations by rationalizing the complex of Customs duties, by securing effective stock control, and by standardizing the wage system.² The offensive launched through the criminal sanction was the other side of the retreating profits in the tobacco trade.

James White's crime was not isolated, though his punishment was the severest meted out to the dozens of porters, coopers, lightermen, and seaman indicted for tobacco stealing during the 1720's. In May 1721 William Rippin and Benjamin Jones went out "on the keys." They removed the lids from tobacco hogsheads that lay about

¹ Corp. Lond. R.O., "The Case of the Ticket Porters against the Tacklehouse porters presented to the Court of Aldermen," (1707), Box 5, Shelf 149; "The Case of the Tackle-house Porters of the Twelve Primary Companies" (1707), Box 1, Shelf 149; and "The Porters Case Book 1716-1724," pp. 91-93.

² L.C. Gray, op. cit., p.228.

the docks waiting removal to more secure positions in the warehouses nearby. They stole five to ten pounds weight of tobacco from each.¹ In July 1723 Thames watermen were reported to have engaged in well-organized river smuggling. At the beginning of the year fifty pounds in reward was offered for information leading to the arrest of watermen engaged in smuggling.² In August four river workers were betrayed by William Foster who informed against them for taking two pounds sterling worth of tobacco from hogsheads

¹ Corp. Lond. R.O., Sessions Papers, Box 1721-1723; "The Examination of William Rippin, 3 May 1721, before Sir Francis Forbes" and "The Examination of Benjamin Jones, 3 May 1721, before Sir Francis Forbes." Rippin sailed for Virginia on the "Prince Royale" with a few others of the "King's Seven Year Passengers" on 9 August 1721. See Kaminkow, op. cit. Theft on the docks during 1722 was not confined to tobacco. 31 May 1722 a fifty pound reward was advertized to those who would inform against the perpetrators of a theft from the East India Company's warehouse at Botolph Wharf. ~~Handlist of Proclamations,~~ op. cit.

² The British Journal, 6 July 1723. Also, A Handlist of Proclamations issued by Royal and other Constitutional Authorities 1714-1910. Bibliotheca Lindesiana, Vol. viii (Wigan 1913).

on the keys which they sold to a Thames Street chandler.¹

In December 1723, the month after White was hanged, John Skinner who worked in a porters' gang from Captain Hyde's lighter informed against his fellow porter, Richard Jennings, testifying that he saw him open a hogshead while the tide slowly drew the lighter to the key and take out fifteen pounds weight of tobacco one time, and thirty-two pounds another.² In February 1725 John Skinner again informed against a fellow porter, John Winter, for stealing fifty-six pounds of tobacco from a lighter resting off Somers Key.³

Customs officers that year filed complaints of tobacco theft and adulteration in shops and warehouses in east and river parishes.⁴

¹ Corp. Lond. R.O., Sessions Papers, Box 1723-1725, "The Information of William Foster, 19 August 1723, before Sir Francis Forbes," and also The British Journal, 24 August 1723, which reports that a Customs House porter was committed to Newgate for "unlawful freedom with some Hogsheads of Tobacco."

² Corp. Lond. R.O., Sessions Papers, Box 1723-1725, "The Information of John Skinner, 20 December 1723, before Sir Francis Forbes" and "The Confession of Richard Jennings, 20 December 1723, before Sir Francis Forbes."

³ ibid., "The Information of John Skinner, 6 Feb. 1724/25, before Sir Francis Forbes."

⁴ G.L.C.R.O. (Mddx. Div.), Sessions Book (Jan. 1725/26), MJ/SBB/838, pp. 60-1, "The Petition of Sampson St. Hill."

Despite these prosecutions in the early 1720's neither theft on the river nor profit losses were abated. Micajah Perry headed twenty-one other tobacco merchants in a petition to the Council of Trade on 18 June 1724. Complaining of "bad seasons" they asked that "the coast of America be well guarded from pyrates."¹ In 1727 Micajah Perry presided over a tobacco dealers' association to engross the market and raise prices.² Six years later a committee of the House of Commons came to the conclusion that pilfering tobacco from the river had increased "to a very great Degree" by 1728 among the tidesmen, porters, mates, coopers, ships' crews, and lighterman.³ That year "Several Officers of the Customs are suspended only for taking Care of their Families and making the most of their Places."⁴ In the next year more than a hundred and fifty river workers lost their jobs on suspicion of tobacco theft and more than a dozen were prosecuted in the courts.

¹ Calendar of State Papers. Colonial Series. American and the West Indies. Vol. 34, p. 123.

² Sioussat, op. cit., p.77.

³ The Report of the Committee Appointed to inquire into the Frauds and Abuses in the Customs (7 June 1733), op. cit.

⁴ Mist's Weekly Journal, 8 June 1728.

In January sessions, 1729, James Smith was convicted of stealing tobacco of a "considerable Quantity" from the frigate Carter, and was sentenced to seven years transportation.¹ John Brown and Thomas Mullings stole roughly the same amount of tobacco from the ship Sarah but the jury valued it at ten pence and they were whipped only.² At the March sessions Robert Nuttal, "a Porter employed to land Goods," was whipped for stealing eight hundred weight of tobacco, "the property of persons unknown."³ James Dram

¹ The Proceedings, 16-21 January 1728/29. Owing to the tobacco depression Jonathan Forward, the contractor responsible for transporting convicts to the tidewater plantations, was taking losses in his business whose prosperity depended as much upon carrying tobacco to London on the return voyage as it did carrying transportees on the voyage out (who as often as not were sold Virginia and Maryland tobacco planters). Therefore, he raised the cost to the government for transporting felons. See Abbott E. Smith, op. cit. Sometimes transported felons were actually sold for tobacco. Jesse Walden, for example, was transported to Maryland. At Anapolis he was sold to a planter for two hogsheads of tobacco. He was then taken to a plantation in the Blue Ridge where he worked at "suckering" tobacco before he escaped and made his way home to London. See The Ordinary's Account, 7 April 1742.

² The Proceedings, 16-21 January 1728/29.

³ The Proceedings, 26 Feb. - 5 March 1728/29. See also Anon., A Genuine Narrative of the Sacrilegious Impiety of John Lamb, the Sexton, and William Bilby, the Grave-Digger of St. Andrew's, Holborn (London 1747) for a witty discussion of the law of stealing the property of "persons unknown." It was developed on the docks to allow constables to prosecute for the Customs House when the owners of stolen goods did not claim them.

was acquitted of an indictment for stealing four hundred weight of tobacco off the keys.¹ James Adams, a cooper, employed by the merchant importers to board ships and check the hogsheads against damage at sea and to secure defective casks in preparation for the intensive handling and Customs inspection on shore, was found guilty of stealing six hundred weight of tobacco from the ship Philip and two hundred weight from the Hopewell.² Six others were indicted at this sessions: William Wood for stealing three hundred weight of tobacco, John Edgings and Giles Rawlings on four counts of tobacco stealing, Thomas Wood for receiving three hundred and fifteen pounds weight of tobacco knowing it to have been stolen, Richard Scott, a lighterman, for stealing seventy pounds weight of tobacco, and Thomas Allen, also a lighterman, on three counts of tobacco theft.³ When loaded the lighter moved about the river with the tide. The consequent irregularity of its course leaving the craft often stationary in mid-river awaiting the turn of the tide

¹ The Proceedings, 26 Feb. 5 March 1728/29.

² Ibid.

³ Ibid. William Wood was transported to Maryland aboard the "Patapscoe" that embarked on 17 March 1728/29. Kaminkow, op. cit.

allowed the lighterman many opportunities to pilfer his own cargo~~4~~ or discharge part of it to smaller craft plying alongside.¹ The irregularities of transit ashore afforded similar opportunities. At the August sessions Charles Manning was found guilty of stealing twelve pounds of tobacco, part of a consignment he was loading into a waggon destined for Ross.² In April Allen Sawyer, a porter of St. Botolph's, Billingsgate, was indicted for stealing twenty pounds weight of tobacco off the keys, but because he was able to gather half a dozen character witnesses for his defense the jury found him innocent.³

By allowing us to see the problem from the point of view of the porters a single case at the April 1729 sessions illuminates the whole series of tobacco thefts of the preceding decade. William Drinkwater and Samuel Hoy, both of St. Dunstan's, Stepney, were transported that sessions for stealing thirteen hundred weight of tobacco, value fifty pounds sterling, from the ship Barwell. The evidence

¹ For a rich description of the lighterman's work see Henry Mayhew, London Labour and the London Poor (London, 1861), iii, p. 369 ff.

² The Proceedings, 27-30 August 1729. Charles Manning sailed for Virginia on 27 October 1729 on the ship, "Forward Sally." Kaminkow, op. cit.

³ Ibid. 16-24 April 1729.

against them at the trial stated,

There was an Agreement among the Prisoners
the first and second Mate, the Boatswain,
Gunner, and Captain's Servant to sock,
that is to take Tobacco out of the Merchant's
Hogsheads, to sell it, and to share the
Money among them, it having been said,
it was an old Custom so to do.

To the landwaiters and searchers taking tobacco was
smuggling; to the magistracy it was theft; to the merchant
it represented a loss on the profit account; to the Virginia
and Maryland planters it was part of an inexplicable loss
of their goods; but to the porters, coopers, seamen,
lightermen taking tobacco was "socking," an "old Custom"
and as such part of their Wage.¹ The attack mounted
against "sockings" was therefore as much an intensification
of the exploitation of river workers as it was a more
generalized effort to maintain social control and labour
discipline.

Emphasizing the theft of the socking of tobacco during
the 1720s should not lead the reader to conclude that this
was the only commodity suffering depredations as it passed
through the river, though the theft of tobacco more than
that of other items was prosecuted in the courts. Indigo

¹ The Proceedings, 16-24 April 1729. William Drinkwater was
transported 27 October 1729 with Charles Manning aboard the
"Forward Sally." Kaminkow, op. cit.

cochineal and sugar were also pilfered.

Occasionally some of these thefts were brought to trial. In June 1728 Thomas Alesworth, a porter in a South Sea Company warehouse, swore depositions against two of his fellow porters, Joseph Austin and Philip Godfrey, for thefts of indigo and cochineal committed four years earlier, in May 1724. Thomas Alesworth was said to have stolen 150 lbs of indigo worth fifteen pounds and 200 lbs of cochineal worth two hundred pounds. These he carried in bags made for the purpose of theft and sold to one Harry Sanders who "had made a Sort of Mill, or Funnel for the Prisoner with which he used to take the Cochineal out of the Company's Bags with more Ease and Expedition." Godfrey was indicted for stealing 100 lbs of indigo and one hundred pounds worth of cochineal. Apparently trusted by Mr. Wright, the warehouse keeper, Godfrey was left in charge of the premises when Wright rode "out of Town to take his Pleasure." At these times Godfrey who was supposed "to search (or in their language, to shake down) the Gaublers and Porters who us'd to attend there" neglected this and helped himself. When Wright returned from his weekend jaunts Godfrey continued to pilfer

using linen bags that Philip Austin's wife "had made and contrived for the conviency of his carrying it away with the more secrecy." Mrs. Austin being also "a Person who used to buy goods which were stole by Warehouse Men, and Porters working in Cellars and at the Keys," resembled in control of "sales" and inventor of important tools of "production" more the industrial entrepreneur than your common Ray Fair fence.

The jury acquitted both men after hearing three other warehouse porters testify to their good characters.¹

Samuel Maidman of St. Paul's Shadwell was brought to trial in April 1729 for stealing two hundredweight of sugar (worth fifty shillings) from the ship Wiltshire, that rested moored off Ratcliff Cross after a voyage from St. Christophers. Maidmen, the keeper of a victuall^{ing} house at the sign of the "Royal Oak," boarded the ship ostensibly to solicit the men's custom. Paying a shilling to the lighter-man, a half a guinea to the "Merchant's Watchman" to be shared with the river tidesman, he told the men "if they would get

¹ The Proceedings, 5-7 June 1728. Later that year George Robinson of Stepney, a porter at a river warehouse was acquitted on an indictment of stealing in a "Clandestine Manner" 29 lbs of indigo from his employer, largely because the prosecutor in the case was the receiver and chose not to appear in court. See ibid., 4-7 Dec. 1728.

sugar he would take it off their Hands." With the connivance of the officers he opened three hogsheads, removed the sugar, headed them up again, loaded the sugar in his wherry, took it ashore and sold it for twopence a pound at the Royal Oak.

The jury finding him guilty to the amount of four shillings and tenpence, the court sentenced him to seven years transportation.¹ Thomas Pearse, the tidesman who'd shared the half guinea, took Maidman to court. A notorious informer, we'll see that he was lucky to live out the year with his skin.

In the same way that the Customs officers earned less from their salaries than they did from the fees, allowances, and gratuities imposed upon the merchants, so among the Tacklehouse and Ticket porters such non-monetary parts of the wage or "Customs" were often regarded as more valuable than their monetary piece rates.² These, although apparently high in comparison with many other rates in carrying and carting work, were actually quite low when regarded as part of total annual earnings. Active employment in dockside and river work was effectively restricted to three or four

¹ The Proceedings, 16-24 April 1729. For other cases of sugar theft that year see ibid., 27-30 August 1729 and 15-20 October 1729.

² Stern, op. cit., pp. 64-71 and 78-81 for various time and piece rates of Tacklehouse and Ticket porters.

months of the year, the porter's "vintage time," in the summer and early autumn when the coastal trade was at its height and when the East India and North American fleets arrived. Otherwise the river worker shifted as best he could from job to job. James White hawked fruit during the off-season. Patrick Kelly, a river porter hanged for coining in 1743, ran errands, assisted masons, bricklayers and carpenters, and in season went haying in Middlesex and Kent.¹ Conversely, many like Michael Grant who lost a weaving job after a wages dispute were neither bred to the trade nor established in it but found work ^{dawn} ~~done~~ on the river. Michael Grant rolled hogsheads on the riverside before he turned highway robber.²

While the technical organization of the work made it arduous to the porters and inefficient to the planters and merchants, it facilitated methods of "socking." The narrow landing area, the shallow draught of the river at the keys, the bunching of ships in several waiting tiers, apparently 'natural' conditions of work, benefited both the swarm of Customs officers and the labourers in the trade. The Bulk

¹ The Ordinary's Account, 13 April 1743.

² Ibid., 12 July 1742.

Tobacco Act of 1699 by requiring that tobacco be shipped in nothing but "cask, chest or case" did not solve the problem of pilfering but only shifted its site from loose bundles to the hogshead. Like all units of measurement in the eighteenth century the tobacco hogshead was notoriously imprecise. Its capacity varied according to the commodity it contained and to the region where it was used. The weight of the tobacco hogshead varied between five and eighteen hundredweight depending upon the relative amount of leaf, stem and lugg that it contained and upon how well the product was "screwed" or "prized."¹ The variations

¹ See Stern, op. cit., pp. 79-80; the O.E.D.; and J.H.C., xx, pp. 102-109 (24 January 1722/23). Karl Marx reminds us in the third paragraph of the first volume of Capital (Moscow, 1971) that "the establishment of socially recognized standards of measure for the quantities of . . . useful objects" is "the work of history." Commodities of course are not only useful; they are also repositories of value. Standardization of weights and measures therefore, is of the first importance to the realization of surplus-value. This explains why standardization, in addition to being a technical problem, belongs also to the struggle between capital and labour. See also John J. McCusker, "Weights and Measures in the Colonial Sugar Trade: The Gallon and the Pound and their International Equivalents," William and Mary Quarterly, 3rd series, xxx (4), October 1973, which is an excellent account of this aspect of mercantilism.

in weight of this capacity unit touched the vital interests of several parties. The coopers, responsible for making and repairing hogsheads, became critical to the work after 1699. John Moreton and Thomas Stone, both hanged in 1764, were journeymen, coopers, stole indigo and tobacco from the merchants to whom their master was contrasted. They fenced the tobacco to a Thomas Street publican.¹ Under some circumstances the Customs officers and the merchant factors profited by the uncertainty of measurement. Always however the ambiguity of measurement worked to the advantage of the porters, lumpers, lightermen and ship's crews.

Each hogshead had to be shifted from the ship's hold to the skuttle, from the skuttle to the tending lighter which carried it to the wharfs. There it was lifted to the key, inspected, weighed, and then shifted to a cart or waggon. At two points on shipboard and again on shore beams were erected and tackle brought to play to lift the half-ton burdens. Between these points gangs of porters "made and broke the way" to roll the hogshead from ship to lighter and from lighter to the key. It was highly dangerous, back-bending work. Accidents took a considerable toll, and the men who laboured in this work aged prematurely and could not expect a working life much longer

¹ The Ordinary's Account, 17 December 1764. See also Bob Gilding, The Journeymen Coopers of East London (1971), passim.

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than ten years. All of the four main fellowships of London porters were as concerned with the problems of sickness and injuries as they were with the setting of basic rates or the demarkation of employment jurisdictions.¹ Damaged casks (by accident or design) producing "spillage," "spoilage," and "wastage" were frequent occurrences, and what was to be a loss to the merchant in any case might just as well be a gain to his workers enabling them perhaps to eke out the thin months of the year.

Lightermen, ships' crews, coopers and porters cooperated in the intricate operation of loading and unloading cargo vessels, and there is every indication that their cooperation extended to the informal but customary methods of appropriating a cut in the product of their labour. The porters and lightermen who received the hogsheads of tobacco from the ship Barwell also carried in their trousers and shirts designed for the purpose the "sockings" of the crew to the keys where they eluded the Customs' men and sold the run tobacco to waiting chandlers, tobacconists, waggoners, carters, or to porters "standing by" between jobs. Returning to the Barwell for the next load the porters disbursed

¹ Stern, op. cit., pp. 7-9, 50-52, and 85.

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the money exchanged on shore for the tobacco "sockings" among the ship's crew.

For fifty years at least "sockings" and similar customs had retained not only the sanction of the river porters and sailors but also of ships' masters, captains, and City and Customs officials. In the 1720s when they came under attack the river people defended themselves even to the extent of attempted murder. Thomas Pearce, a river tidesman working for the Commissioners, caused the prosecution of "several of the Tidesmen and some Lightermen, Porters and others" for stealing and running tobacco "to the Prejudice of the Revenue and fair Merchants." His evidence in the single year 1729 brought sixteen men to the Old Bailey. Four were acquitted, four whipped, and eight transported.¹ One night in April three men in disguise with their faces blackened seized one William

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See The Proceedings for 1729. In Joseph C. Robert, The Story of American Tobacco (New York, 1952), p. 29, "socking" is mentioned with the investigations into it, but it is interpreted as being synonymous with "stealing," an exclusive activity of "waterfront gangs." There is a sense in which this is true but it is not the one the author intended. Porters were organized in gangs which cooperated not only to discharge cargoes but to appropriate part of them. The cooperation on the part of the labourers against the merchants did not take separate forms. As we shall see in the pages following it is not usually possible to distinguish clearly between informal organizations of crime and the no less instable organization of the riverfront labor market.

Pearce (under the misapprehension that he was the Customs House informer), dragged him to a river wherry, rowed him to mid-river, and attempted to drown him. Fortunately the attempt failed and the guiltless Pearce survived.¹

The legislative result of the Parliamentary Committee of 1722, "An Act ... to prevent frauds in exporting Tobacco," had failed.² Among other of its provisions it prohibited the separation of the tobacco leaf from the stems and stalks in an effort to make pilfering more difficult. The consequent increase in harvesting costs led to the Act's repeal seven years later a concession to the Virginia planters whose interests, for once, coincide with those of the London merchants.³ Indeed, in Virginia legislation attempted to control the trade which suffered from similar abuses at

¹ P.R.O., S.P. 36/11, fol. 12, "Commissioner of His Majesty's Customs to the Lords Commissioners of His Majesty's Treasury," 15 April 1729.

² 9 George I, c. 21. See also Statutes at Large, xiv, & ~~42~~ and Jacob M. Price, op. cit.

³ See E.R. Turner, "The Excise Scheme of 1733," The English Historical Review, xlii (Jan. 1927); Sioussat, op. cit.; William Coxe, Life and Administration of Sir Robert Walpole, i, p. 390; and J.H. Plumb, Sir Robert Walpole, ii (1960), pp. 246-257; where however the episode of "socking," which figured prominently in the report of the Committee investigating Customs abuses, is not mentioned.

that end. In 1730 the Virginia Assembly passed a law with these provisions: that all tobacco be brought to a public warehouse to be inspected, that bad tobacco be burnt, that bulk tobacco be prohibited even in the country waterways, that the net weight and tare be stamped on each hogshead by the Inspectors, all "for the better preventing of frauds in the Customs, which has been long practiced as well by carrying tobacco in parcels or by breaking the cartes and running the tobacco whilst the ships are unlading." Hogsheads were standardized and other means were taken to reduce the handling costs incurred in Virginia. The Act was disliked on the whole. Poor planters of the Northern Neck, people "always remarkable for their disobedience [and] mingled with many transported convicts" burnt down four of the new warehouses during the first months after the Act's passage into law. Sporadic outbreaks of arson by "the most turbulent among the planters" were recorded in the Lieutenant Governor's report to the Council of Trade and Plantations for the next two years. To many poor planters in Virginia the selling of "trash" tobacco and the "vile practise of false packing" were means of reducing rents which were paid in tobacco and meant, even in Lt. Governor

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Looch's opinion, the difference between going clothed and going barely naked.¹

In England meantime Walpole's Excise scheme of 1733 was in part designed to overhaul the London Customs and finally remove it of these abuses. It attempted to clear away the thicket of customs, privileges and irregularities of the port, abuses which to him appeared to be the reason for low Customs revenues and which to the colonial planters and their London factors appeared to be a main source of decline profits in the tobacco trade. Although the scheme failed, we hear little of "sockings" in the river during the next decades partly because the tobacco trade recovered from its long slump and the pressures upon the merchants were eased. Nevertheless, river workers continued to supplement their monetary wages by taking a cut in the riches that passed through their hands. In 1740 several men were indicted for tobacco theft near the river.² In the following

¹ Calendar of State Papers. Colonial Series. America and the West Indies. Vol. 37, p. 203-205 (23 July 1730), and Vol. 39, pp. 92-99 (30 March 1732) and 173-179 (18 July 1732).

² Two men were indicted in December at the Middlesex Gaol Delivery for tobacco theft and were transported for seven years, G.L.C.R.O. (Mddx. Div.), Sessions Rolls, MJ/GSR/2747, 4 December 1740. An Aldgate labourer was acquitted on a tobacco stealing indictment in July, Lond. Corp. R.O., Sessions Files, 9 July 1740. Another labourer died in prison awaiting his trial for an indictment of stealing thirty pounds of tobacco in January, Lond. Corp. R.O., Sessions Files, 16 January 1739/40.

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year half a dozen river workers brought to court by the East India Company for the theft of pepper and tea. They were found not guilty by a jury which sympathetically accepted the distinctions made by the defense among "smuggled" goods, "stolen goods," "Perquisites," "waste," "dirt," and "tare." The distinctions were fine ones. Many chose to ignore them altogether and looked upon all river workers with suspicion. The Ordinary of Newgate, for instance, wrote of Robert Winroe (hanged in 1752 for counterfeiting a bill of sales), "he did work upon the River, this is a very suspicious Way of Life, such People being generally looked upon as getting more Money by the bye than by their Labour."¹

In 1749 the merchants and wharfingers organized a force, the "merchants' constables," to assist those of the municipality and the Customs House.² Its ~~a~~^effect was negligible: in the course of the next eighteen months losses from river thefts were calculated at one hundred thousand pounds.³ In May 1751 an Act was passed making it a crime punishable by seven years transportation to steal

¹ The Ordinary's Account, 13 July 1752.

² Radzinowicz, ii, p. 354.

³ The General Advertiser, 25 August 1750, and Hugh Phillips, The Thames About 1750 (1951), p. 40.

goods worth forty shillings or more from a ship, barge or lighter in a river or a port. Although ten people were convicted under this Act during the next year, legislative of this sort (extending the criminal sanction without altering the control river workers enjoyed over their work) could do little to change theft on the keys. In 1762 Parliament passed the Bum Boat Act which required all bum boats, notorious since at least the beginning of the century as receivers of stolen goods, to register at Trinity House.¹ Two years later Thomas Thompson, born in Ratcliff, was caught in Salt Petre Bank ("that hapless resort") and hanged for burglary. "When he plied in his bomb-boat he had been concerned in taking goods (as tobacco and sugar) out of lighters in the River."² But, according to Colquhoun, the Act was ineffectual and it was fourteen years after its passage before a conviction was made under it.³ The West India interest found it necessary in 1765 to advertise their intention of prosecuting "the wicked and felonious practise

¹ 24 George II, c. 45, "An Act for the more effectual preventing Robberies and Thefts upon any navigable Rivers, Ports of Entry, or Discharge Wharfs, and Keys adjacent." Radzinowicz, ii, pp. 485-6; and Henry Humphreus, History of the Origin and Progress of the Company of Watermen and Lightermen, ii (1887), pp. 215-16.

² The Ordinary's Account, 15 Feb. 1764.

³ Patrick Colquhoun, A Treatise on the Commerce and Police of the River Thames (1800), ~~ii~~

of stealing Sugars and other Goods." Two years later they announced that contrary to general belief, the mates of West India ships were not entitled to the sweepings of the hold.¹

The tobacco interest, too, joined in this mid-century campaign. William Escote, a wealthy tobacco merchant of Battle Bridge in Southwark^k, was prosecuted in September 1750 for receiving more than 40,000 stolen pounds of tobacco and was sentenced to fourteen years transportation.² A year later a special Customs organization was created to prevent abuses in the unloading of tobacco. An Inspector of Manufactured Tobacco for Exportation, a Tobacco Viewer and a Tobacco Examiner were created whose duty (among others) included the prevention of theft of damaged tobacco while it was in transit to the tobacco burning ground in Deptford ("the King's Tobacco Pipe") where it was destroyed. In 1786 the King's Victuall^{ing} Wharf, opposite the Isle of Dogs between Deptford and Rotherhithe, was taken over for

¹ Radzinowicz, ii, p. 355.

² The Proceedings, 12-19 September 1750; The London Penny Post, 19 September 1750; and Phillips, op. cit., p. 50.

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warehousing of good tobacco, but even this failed in its intention to reduce theft. One Customs official wrote the Treasury,¹

of the enormous thefts and outrages committed on the Quays, whereby the Merchants and the Revenue are constantly suffering very considerable losses on several species of Goods imported and exported, particularly in the article of Tobacco, which the Merchants are now afraid to strip in order to be weighed notwithstanding the protection afforded by the Constables who are paid by this Revenue, as the Thieves assemble in such large bodies, and are growing more audacious, that they are neither to be intimidated nor restrained.

In the next year seventy-six tidewaiters were suspended for frauds against the tobacco duties.

By the 1790s sugar had largely replaced tobacco as the most valued target of river workers.² At the end of that decade the combined efforts of John Harriot and Patrick Colquhoun created a Marine Police which in addition to establishing more than a thousand officers, also selected, paid, controlled, and discharged the port workers unloading

¹ P.R.O., Treasury Papers, 627, fol. 316, 22 February 1786.

² Hoon, op. cit., p. 155.

³ Though as Colquhoun said "the Pillage" of tobacco was "still very considerable;" "considerable quantities are sent on shore in the Officers' Boxes..." Colquhoun, op. cit., pp. 119-120.

ships.¹ This together with the construction of fortified docks in the next few years completed the transformation of the labour process and the removal of "sweepings," "spillage," "privileges" and "sockings" from the wage.² Thereafter, at least in the cases Henry Mayhew records, in the smuggling of river tobacco the ambiguity between legitimate perquisite and felonious appropriation disappear.³

¹ Radzinowicz, ii, pp. 357-369. See also J.G. Broodbank, History of the Port of London (1921), i. p. 83 ff.

² ibid.

³ Henry Mayhew, London Labour and the London Poor, iii, p. 368-69 (London 1851); The final defeat of the older form of the wage as concerned the sugar coopers occurred in 1821 when they lost a bitter strike in defense of their ancient customs. See Gilding, op. cit., and George Pattison, "The Coopers' Strike at the West India Docks in 1821," Mariners' Mirror, lv, passim.

TYBURN
A STUDY OF CRIME AND THE LABOURING POOR
IN LONDON DURING THE FIRST HALF OF THE
EIGHTEENTH CENTURY

Two Volumes

by
Peter Linebaugh

Volume II

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Chapter Eleven:

CRIME AND COALHEAVERS

"The Life of a Man is full of Cares,
And Business is a Trouble
It fills a Man with Hopes and Fears,
And all in the End is a Bubble;
But a Bowman-Prig,
Who lives by the Rig
In plentiful Days is at Ease;
Thus his Life he does spend,
Which does healthfully End;
For Death takes him without a Disease."

Anon.,
Villany Exploded: Or, the Mistery of Iniquity Laid
Open (1728).

"... this, the greatest labour, perhaps, performed
by any men."

Henry Mayhew,
London Labour and the London Poor, iii (1861).

"You are not ignorant that London alone transacts two thirds of the trade of the three Kingdoms," wrote a visitor to England in 1789,

the splendour and activity of its retail trade will not therefore surprise you; but to take a view of the extent and grandeur of the commerce of this first trading nation in the world, you must penetrate the busy throng which constantly blockades the Strand, and proceed, as I have done, till you mix with the crowds which fill up every avenue to the Custom-House; you must next take boat to go down the Thames, and see the bosom of that noble river bearing thousands and thousands of vessels, some sailing up or down, going or coming from every part of the world, and others moored in five or six tiers as closely to each other as it is possible for them to be; you will then confess that you have beheld nothing that can give you a stronger idea of ¹ the noble and happy effects of human industry."

Those "happy effects" were caused by the labours of the sailors, crews, meters, Ticket porters, Fellowship porters, Tacklehouse porters, coopers, caulkers, shipwrights, coalheavers, coal porters, rope makers, and the scores of other trades necessary to bring "thousands and thousands of vessels" to the bosom of that "noble river." At many times in the eighteenth century those labours were neither "noble" nor industrious, complaint was frequent against the idleness, the outrages, the crimes, and the violences of the river workers of Shadwell, St. George's-in-the-East, Wapping, St. Katherine's and Aldgate, until

¹

J.H. Meister, Letters written during a Residence in England, (1799 translated from the French), pp. 17-18.

they culminated at the end of the century in the formation of the Marine Police.

We may ask why? The evidence of the judicial records does not indicate that crimes about the river Thames were so serious as to deserve special treatment upon our part or the extraordinary measures proposed and adopted at the end of the century. Among the Londoners hanged at Tyburn for whom we have record only about 11 percent were born in the river parishes of Shadwell, St. George's-in-the-East, St. Katherine's, Wapping, or Aldgate, while more than one half were born in the five central and northern parishes of Holborn, St. Giles's-in-the-Fields, St. Martin's-in-the-Fields, Clerkenwell, and Spitalfields. If instead of looking at those who were hanged we look at those who were indicted in 1740 (for instance), river crimes appear to have been even less significant. The same five river parishes supplied only 5.8 percent of the indictments of the Middlesex and City Quarter Sessions. As Graph X in Chapter One shows, in Shadwell there was approximately one indictment per 452 inhabitants; in St. George's-in-the-East one to every 532 inhabitants. By way of contrast Covent Garden indicted one person for every 63 parishoners, and St. Anne's, Westminster, one for every 71 inhabitants. It would seem more peaceful parishes in London one could not find.

We have seen in the previous chapter some reasons why this was not the case. The balance of forces, though always in a tense state of fluctuation, often favoured the tobacco porters, so at these times their "depradations" would not appear in the court records of crimes. Crimes on the river threatened the jugular vein of English commerce of which more than two-thirds passed through the River Thames and the open hands of its many labourers. Crimes on the river were particularly severe interruptions in the circuit of capital, even if the resulting number of indictments appearing in court records was small in comparison to other parts of London.

In chapters eleven and twelve we describe some of the relations between crime and coalheaving. We find it convenient to distinguish crimes that were committed through the detail of the labour process and those committed outside of it. The effect of the former was to make the worker's labour more costly, for the same reasons that "chips" increased the expense of shipbuilding. They also supplemented meagre wages. The latter class of crimes allowed their perpetrators to live, and sometimes to live well, without having to work for a wage, and as such they may be said to have been committed against the organization of work in general. In chapter eleven we examine the detail

of the labour process, concrete labour, because only when it is understood can the corresponding struggles against exploitation be comprehended. In chapter twelve we re-examine the 1768 uprising of the coal heavers against the background that we described in chapter eleven. This allows us to place that 'industrial' struggle along a continuum (so to speak) that includes forms of struggle that are qualitatively similar, though different in form.

Among the bills of indictment attached to each sessions' gaol calendar there is usually one or two for the theft of coal, or so a random glance through the sessions of a few years suggests. Thus in May 1740 four men of St. Martin's-in-the-Fields were confined to Newgate for six weeks and fined for stealing two bushels of coal.¹ Six months later two other men from the same parish were whipped at New Prison for the same offence.² Whether these men were porters or carters taking a cut in the product of their own labour, or men seizing a main chance, or men driven to take fuel to warm their families the bare facts of an indictment bill cannot reveal. On the other hand when in January 1737 we find George Butler in the House of Correction, bound over to give sureties of good behaviour, for defrauding someone of coals;³ or when as in January 1740 a Clement Danes coal dealer is indicted for short selling to the amount of 39 shillings;⁴ or when Robert Davis signs a confession that

¹ G.L.C.R.O. (Mddx. Div.), Sessions Rolls, MJ/SR/2736 (20 May 1740).

² Ibid., MJ/SR/2746 (1 December 1740).

³ Ibid., Westminster Sessions Rolls, WJ/SR/2668 (5 January 1736/37).

⁴ Ibid., MJ/SR/2729 (14 Jan. 1739/40).

he, a Westminster lightermen, took his boat to Wapping Dock where he stole seven bushels of coals from a moored barge;¹ then in these cases the judicial records begin to reveal the extraordinary variety of methods of stealing coal. Its importance to the life of eighteenth century London can scarcely be over-emphasized. The ubiquitous dust infiltrated everything. The small coalsman, with his sacks and dray was a common street figure.² One could scarcely cross a London parish at the time Rocque made his maps of London without passing two or three coal yards. Like bread the life and health of the people of London depended on a regular supply of coals at low prices. Warmth, like nourishment, was a universal requirement and successive layers of government were empowered to intervene when the price of coal exceeded a customary limit, a not unusual occurrence when the brewers and dyers, the industrial consumers of coal, caballed with the colliers to influence its price.³ Yet for all this we know little about the men who

¹ Ibid., Sessions Papers, OB/SP/11, "The Confession of Robert Davis before Walter Berry," 6 March 1758.

² John Ashton, Social Life in the Reign of Queen Anne (1883) pp. 54-55.

³ 16 & 17 Charles II c. 2 empowered two magistrates to set rates at retailing coal. 2 William & Mary c. 7 gave power to the Lord Mayor and the Court of Aldermen to fix the price of coal in London. 11 George II c.15 strengthened this Act. 17 George II c.35 gave power to three Justices of Peace anywhere in England to regulate the price of coals in any part of England.

brought it to London or unloaded it or carted it about the streets.

In 1732 Thomas Andrews was hanged. He was born in Shadwell, served out an apprenticeship as a glazier in the glass house on the eastern part of the parish, and then did work coalheaving. He was known for his "indirect Practises" and for pilfering about the keys.¹ On 3 October 1750 George Lloyd and Will Wright were hanged. The former worked on the keys and in the coal trade; the latter, a work house boy, was described by the Ordinary of Newgate as a "Thames pilferer."² These men were some of those that though not hanged for stealing or "pilfering" coals had certainly made a practise of it.³ Indeed it was common all over the town. John Ryley, only seventeen when he was hanged, had done time in a workhouse, wrought as a carman in the West End, and like the boy in Hogarth's plate of Tom Idle's hanging, stole apples, gingerbread and coals from the street hawkers

¹ The Ordinary's Account, 6 March 1731/32, and The Proceedings, 23-35 February 1731/32.

² The Ordinary's Account, 3 October 1750.

³ The Ordinary's Account, 31 July 1747.

at that end of town.¹ Rebecca Hart, a poor woman of St. James, Westminster, stole several quantities of coal. She was supposed to have stated to the examining magistrate that "It was no Sin in the Poor to rob the Rich, and that if it was, J - C - had died to procure the Pardon of all such Sinners."² At the beginning of the century complaints were made against the coalheavers' practise of taking for their own some of the coals they unloaded.³ At the end of the century Patrick Colquhoun noted that "to such a height had these nefarious practices gone, previous to the establishment of the Marine Police, that a kind of Public Market was held at Execution Dock, for the Sale of Coals obtained in this way."⁴

In the variety of the units of measurement of coal we find both the symptoms and a source of much of the crime and corruption that dominated the 18th century London coal trade. Two systems of measurement applied to the trade:

¹ The Convent-Garden Journal, 7 April 1752.

² The Ordinary's Account, Ibid., for the case of Thomas Shehan, an Irish docker in Wapping and Shadwell; or ibid., 16 May 1750, for case of Job Savage, a former cabin boy in the West India trade who taken to work in Shadwell rope walks, coopers' yards, and coalheaving gangs.

³ See below, p.

⁴ Patrick Colquhoun, A Treatise, p. 14.

wharf measure and Pool measure. The main unit of the latter was the London chaldron. Originally denoting a waggon-full, it became after 16 & 17 Charles II c. 2, a statutorially regulated capacity measure of 36 bushels "for avoiding the manifold deceits, exactions, and abuses, used in the Measure and Sale of Coals."¹ Large consignments of coal were measured by the score of chaldrons. "By ancient Custom in the Port of London," as the preamble to 3 George II c. 26 explained, "one Chaldron of Coals is allowed to every score bought on board Ship, and so in proportion for a greater or less quantity which is called Ingrain."² On board the collier the coal was actually measured by neither of these units but by a third, the vat. This was a flat-bottomed vessel, round in shape and tapering from a broad base to a narrower mouth. Its dimensions prescribed in legislation, the City used the vat to determine the customs duty to be paid on the imported coals. It held nine heaped bushels.

Wharf measure consisted of two units, the bushel and the sack. The former was equal, according to 12 Anne c. 17,

¹ Wright, English Dialect Dictionary (1898), where the London chaldron is contrasted with others at Newcastle and Hull. See also Raymond Smith, Sea-Coal for London: History of the Coal Factors in the London Market (1961), pp. 70 ff, for a discussion of the measures used in the coal trade.

² Smith, op. cit. Also T.S. Ashton and Joseph Sykes, The Coal Industry of the Eighteenth Century (Manchester, 1964), 2nd edition, p. 204. Before 1730 it appears that the consumer bought coals at the 'bare' score while the lightermen who monopolized the trade kept the advantage of the ingrain.

to one Winchester bushel and a quart. Like the bushel, the sack was an actual measure used at the wharf by the lightermen, coal porters, and coal meters. When filled it should hold three heaped bushels and to do this it should measure four foot four by two foot two.¹

Thus, three bushels equalled a sack; three sacks a vat; four vats one chaldron, and twenty-one chaldrons a score. Matters were not near so simple. Each of the capacity units was subject to variation during normal use and all subject to fraudulent measure. The ambiguity of the London chaldron might amount to one or two bushels depending on whether it was at "strike Measure" or "heap Measure."² "Many persons dealing in Coals," according to the statute recognizing the score at twenty-one chaldrons, "do load the same from

¹ The coal sack's dimensions were set by 32 George II, c.27. George Rudé in Wilkes and Liberty: A Social Study of 1763 to 1774 (1962) fails to understand the difference between the chaldron and the sack which he appears to regard as identical. Elsewhere he refers to the "score (of sacks)," in a context which would suggest that the coalheaver's wages were nine times what in fact they were, see George Rudé, Paris and London in the 18th Century: Studies in Popular Protest (1970), p. 250. See also Appendix 3, "Note on the Interpretation of Measurements of Coal," in T.W. Willan, The English Coasting Trade: 1600-1750 (Manchester 1938).

² Ashton & Sykes, op. cit., p. 207. The chaldron appears to have been in 18th century London an ideal measure used in accounting, not an actual container.

on board Ship bare measure without the said Ingrain, to the great injury of the Consumer." We shall see later how this could work. Considerable variation was possible in loading the vat depending on whether it was struck or heaped, and if heaped how great its head. Not until the end of the century was a moveable bow attached to the vat which reduced much of the discretion possible in forming the size of the 'heap.'¹

Statutory regulation of the measures in the coal trade was as old as 7 Edward VI c. 7 whose preamble noted one of the factors causing legislative standardization. "Forasmuch as by the greedy appetite, and covetousness of divers persons, Fuel, Coals, and Wood, runneth many times through four of five several hands or more, before it cometh to the hands of them that for their necessity do burn or retail the same." Despite the frequent recourse to statute to regulate these measures, no law could prevent deliberate fraud. In 1735 complaints were filed before the Court of Aldermen regarding deficiencies in the vats.² In November of the next year one Mr. Savidge, the maker of vats, was

¹ Smith, op. cit., p. 363. See also, Anon., Account of Peculations in the Coal Trade (1821), p. 5.

² Corp. Lond. R.O., Repertories of the Court of Aldermen, 140, fols. 405, 435, 460 (September and October 1736).

ordered to attend Guildhall so that his vats could be compared with a standard vat and any deviations between them answered for.¹ In the same year the Court of Alderman learned that the bushel measures used on the wharfs and which had previously been approved and sealed at Guildhall were in fact short by a pint.² Complaints continued through the next decade. One observer in 1747 described methods that were practised among coal dealers to reduce the capacity of sacks by patching them up in specified ways.³ A Bill was presented that year to prevent frauds in the measurement of coal.⁴ In 1748 a sack maker was convicted of making sacks six inches shorter than that prescribed in law.⁵

Who stood to gain by this confusion of measurement? A dispute between the City's Master Coal Meters and their Deputies in the second decade of the century helps us answer the question. At that time fifteen Master Meters

¹ Ibid., Repertories, 141, fols. 44-46 (30 Nov. 1737).

² Ibid.

³ Anon., The Frauds and Abuses of the Coal Dealers Detected (1747).

⁴ Henry Humpherus, History of the Origin and Progress of the Company of Watermen and Lightermen, ii, p. 200.

(1787)

and sixty Deputy Meters were responsible for measuring and fixing the City duties on about 375,000 chaldrons of coal a year.¹ The Meters were required to "attend each Coal Ship and observe the due weight and admeasurement of coals, to Topp the Vatts, to take Account of the Coals measured, and to make a due Return thereof in writing to the Coal Office."² Poorly paid and often illiterate, the Deputy Meters who actually did the work (Master Meters were responsible mainly for inspecting the Deputies) relied upon the perquisites, gratuities, and areas of discretion in their work in order to extract a living.³ In 1714 they were allowed a penny a chaldron measured, two pence more if the load ~~were~~^{was} also weighed, and a perquisite of six bushels of coal per cargo~~e~~ handled.⁴ By the end of the century the coal meters were receiving fourpence per chaldron gratuity,⁵ and the annual sum of these was estimated at about 450 pounds

¹ Anon., A Computation of the Increase of London and Parts Adjacent (1719) estimates the annual London consumption of coal.

² Anon., Answer of the Under-Meters to the Case of the Master-Meters (1714).

³ The Meters work and the administration of the coal duties is described in Walter Stern, op. cit., pp. 107 ff., and in Elizabeth E. Hoon, op. cit., pp. 148 ff.

⁴ Ashton & Sykes, op. cit., p. 208.

⁵ Colquhounⁿ, op. cit., p. 14.

sterling a year. The size of the "heap" on the vat was at their discretion. Frequently the Deputy Meters accepted bribes to make out fictitious tickets for the coal office.

We learn that those Deputy Meters who insisted on correct measurement were rated by their superiors "as persons pragmatical and busy-bodies" and they were over-awed and not permitted to do their duty."¹ Stephen Wickens, the clerk in 1714 to the master meters, selected the deputies to suit the ship masters. He extorted sacks of coal from the deputies so that they could work out of turn of the seniority roster.² One Deputy Meter complained so frequently to Wickens that he became known as "a Trouble to the said Coal Office."³ Merchants paid "winking money" to the Meters to get 23 or 25 chaldrons out of the score.⁴ "Scorage" was a traditional allowance of a shilling in the score allowed by the ship master to the buyer.⁵ There were other devices: dry coals when wetted burst out like clod lime, and this, like dumping a bucket of water on round

¹ Anon., Complaint and Address of the Under Coal-Meters (1712).

² Corp. Lond. R.O., The Report and Order made concerning the Coal-Meters, and their Deputies or Under Meters (1714), P.D. Box 68. See also, Journals of the Common Council, 61, fols.93-95.

³ Ibid.

⁴ Anon., The Complaint (1712), and Ashton, op. cit., p. 208 ff.

⁵ Smith, op. cit., p. 72.

or great coals, made more bushels from a dry chaldron than the statutes anticipated.¹

Fortunes perhaps were not made by these means, not at a stroke anyway as they might be by great dealers, the rulers of the Company of Watermen and Lightermen (before 1729), or the larger factors and crimpers who met monthly, weekly, and daily at Billingsgate to engross the market by delaying ships' departure from the Tyne or glutting the colliers in the Pool.² But to the smaller men, the sixty or a hundred odd Deputy Meters and to the "labouring Land Meter" (~~after 174~~), keeping perhaps a Chandler's shop on the side, or the scores of small collier masters working on their own account who must sell in a rising market to pay his crew and buy ballast, to such men the imprecisions of measurement and the inefficiencies of Port organization were meat and drink. The archaic incrustations of successive statutes, London Charters, and "customs of the Port" produced the openings for speculation and defalcation which these men filled.

¹ Ashton & Sykes, op. cit., p. 215.

² Raymond Smith, op. cit., passim, describes methods of accumulation in the 18th century coal trade. Centralization of capital (the capture of the lighterman's monopoly, the purchase of mines in Newcastle, and the engrossment of the market at Billingsgate) in the coal trade is described in Elspet Fraser-Stephen, Two Centuries in the London Coal Trade: The Story of Charringtons (privately printed, 1952). See also John Ashton, Social Life in the Reign of Queen Anne (London 1883), pp. 54-56, for complaints against the coal factors and engrossers in the early part of the century.

Unless it was simply a matter of falsifying accounts, every device of corruption in this trade required the cooperation of the coal porters, the coalheavers, and the collier crew. In the dispute early in the century the Deputy Meters declared that "after a vat is filled, the Ship's crew will often sweep off great quantities of Coals and the Under-Meter taking notice thereof is often in danger of his life for so doing, of which Complaints have been divers times made at the Coal Office. One Deputy Meter was almost hounded out of office because he used to re-fill the vat after he saw "the Labourers strike Coals off the Vatt."¹ "There are particular gangs of Coal-Heavers," we learn, "whose Business it is to unlade the Ships [but who have become] so unruly (because they gain the Favour of their Masters by slight measure) that no Words or Threats will compel them to fill the Vatts." In a deposition to the Court of Common Council in 1714

Robert Karrington

being a Coal-meter was appointed to be
Meter to a Coal-Ship call'd the Purfleet,
and that after the Vatt was filled, one of
the Labourers would several times put in his

¹ See the two pamphlets, Complaint and Address of the Under Coal-Meters (1712) and Answer of the Under-Meters to the Case of the Master-Meters (1714); also the sources cited in Note 2, p.469; other material on this dispute may be found in Corp. Lond. R.O., Small M.S. Box 1, No. 33, and Small MS Box 31, No. 22.

Shovel, and strike off great Quantities of Coals, upon which this Deponent did forbid the Labourer so to do, telling the said Labourer, that this Deponent would stop the Work and overturn the Vatt, upon which the Master of the Said Ship, one Bartholomew Cole, did chide with this Deponent, saying he would justify the said Labourer tho' it should cost an Hundred Pounds if the Deponent stopt the Work, and the said Labourer threatn'd to throw this Deponent over Board.... The Lighterman was in the Lighter trimming the Coals, and could not see the said Abuse, and it was not his Business. The master meter then calling this Deponent Loggerhead told this Deponent 'twas nothing to this Deponent if the Vatt was not half full, so the Lighterman did not find any Fault.(1)

Patrick Colquhoun, at the end of the century, was concerned less with the gratuities that the meters accepted than with the fact that these provided a "precedent" for the coal-heavers much greater "depredations:"

The mischievous privilege granted to the Meter, and the Meter's man, of a certain quantity of Coals for their private use ... establishes a precedent, which is pregnant with evils of the greatest magnitude, as it furnishes an excuse for the like illegal indulgence to the Coal-heavers, and generates that disposition to pilfer, which has been found to be so predominant among this very depraved, but useful, and frequently ill-used class of men. (2)

¹ Corp. Lond. R.O., The Report and Order... (1714), P.D. Box 68.

² Colquhoun, op. cit., p. 143-4.

At the beginning of the second decade of the century we've seen that any interruption of the corruptions of unloading coals was regarded by the Master Meters as the work of "Busy-bodies." Those who persisted in eliminating these practises not only lost the favour of the coal office but gained the hostility of the ships' crew and the gang of coalheavers who were ready to duck the meter in the Thames. Sauce for the goose was sauce for the gander. Shortweighting as the colliers were "unlivered" (as unloading coals was termed) meant less work to the coalheavers whose gang was paid by the score. We cannot be sure however that coal "pilfering" meant substantial additions to the coalheavers' pay, for, unlike tobacco, coal was cheap in comparison to its size or weight and not much of it could be carried away by a single worker at the end of the day. Often the "plunder of Coals" was committed with the consent of the ship masters "in order to procure the advantage of additional labour, which ought to have been paid for in money" which suggests that at the end of the century at least the pilfering of coals was a practise more akin to truck payment, a method of reducing the wage, than to perquisites of the job, a form of augmenting the wage.

By this point it will have become clear that the Ordinary's phrase, "pilfering," like "indirect Practises," covers a great number of transactions some of whose effects like those of truck may be opposite to what at first glance that would appear to be. Others clearly were accepted as normal practise not only by fellow workers but by those, like the Meters, who inspected their work. Mudlarking, or the practise of collecting small lumps of coal from the mud when the tide was out, was the work chiefly of girls and boys, and provides us with yet another type of "pilfering." Mudlarks either themselves knocked bits of coal off barges into the river or relied on the coalheavers and coalporters (often their parents) to do this for them. Mayhew described this dirty work and found that sometimes on a good day a mudlark might earn six pence.¹

Mudlarks, if we accept the usually over-classified and over-stratified accounts of criminal organization common in the eighteenth century and since, were a species of the genus, lumpers who were described in 1781 thus:

They have been expelled from the society
of their brethren for being unable to
scamp, prig, or dive, and they then

¹ Henry Mayhew, London Labour and London Poor (1851), iii, 366 ff.

commence lumpers which is sulking about ships, lighters, etc., hanging about guays, wharfs, etc., stealing old iron, fruit, sugar, or whatever comes to hand. (1)

A great many types of appropriations are embraced by the Ordinary's term, "indirect Practises." We have mudlarks and lumpers. There is Edward Joynes picking out chips from the muck at low tide to take home for fuel.² Then there is John Pickett, a direct practitioner most of whose life passed before the mast on East Indiamen, and who'd seen "the bullion hoisted out of the bullion office" at India House. With a crow, gimblet and marling spike he spent a night in a chimney at one of their warehouses and left it the next morning with 1400 pieces of silver dollars. Caught on the Dover Road taking his girl to France so she could become a gentlewoman, he was hanged.³ Lumps of coal, chips of wood, pieces of silver all came to hand and were taken by those who knew how. Knowledge of particular river operations and cooperation with those performing them were necessary for direct and indirect practises alike. Robert Glasgow, hanged in 1751, "pretended to do Quay side work" said the Ordinary, as though the river washed away the difference

¹ George Parker, A View of Society and Manners in High and Low Life, vol. ii (London 1781). Colquhoun placed the mudlark at the bottom of the hierarchy of river thieves too. op. cit., p. 77 et seq.

² The Ordinary's Account, 21 December 1739.

³ Ibid., 15 May 1765.

between legitimate and criminal appropriation.¹

Pilfering on the river, even when not a form of truck, might provide an addition to work without a supplement to income. Charles Taylor, a carman, provides us with an example. He lived with his brother, a porter, at the Rose & Crown in Broad Street, St. Giles's-in-the-Fields. Working with half a dozen others in a team, his job was to carry coal sacks from barges along the river (where it was often stored) to carts on land, then to drive the carts to the customer, and unload the two hundred pound burdens. Owing to the absence of supervision and the ambiguities of measurement, this work, like that of the coalheavers, offered several opportunities for pilfering. An information sworn by Taylor before Justice Henry Fielding on 8 July 1749 illustrates the complexity of those opportunities, and we quote it at length. He swore that Thomas Davies, Joseph Parsons, Joseph Finder, Francis Finch, Thomas Ront, and Edward Abbot ("the Parson")

have at several times within this Twelve Months last past feloniously taken and Carry'd away out of Several Lighters which were Pool Measure and to be filled away without the Inspection of the Meters several parcels of Coals the property of persons Unknown, to the house of Richard Unwin in Beaufort Buildings at the request of the said Unwin, who

¹ The Ordinary's Account, 29 July 1781.

was present at the delivery of most of the aforesd. Coals and frequently Damn'd them for not filling the Sacks full enough, Says that the said Unwin says when any pool Coals come to the Wharf Now My Ladds you will make a good Weeks Work on it, and this Inform't, says that on a Saturday Night when the said Unwin used to pay them their Weeks Wages the sd. Unwin said My Ladds you must have a Bowl of Punch which they agreed to, and as soon as they had Drank up the Punch, Unwin would say to them, the Liquor is so much, and here is a Shilling a piece more for you. Says that he has known the said Unwin Sell three Chaldron of the said Coals to a Man in King Street, Westminster, and this Informt. further says that when Mr. Waring a Brewer in Gardiners Lane Westmr. ordered any Coals to be brought to his House, the said Unwin ordered the Carmen to Drive a Chaldron of them to one Towtopp in the Broad way Westmr. for which they received Twenty-Seven Shillings, which Money the said Unwin shared amongst them, and afterwards made them spend it in the said Unwin's house in punch and other Liquors. (1)

On another order of a score by Waring, the carmen were ordered to divert the ingrain chaldron to John Thrift's Coal Yard in Drury Lane. (John Thrift was the Middlesex and London hangman). Richard Unwin was both a coal merchant and a receiver: he sold the coals that his employees had stolen; he short measured his customers; he dealt in

¹ G.L.C.R.O. (Mddx. Div.), Sessions Papers, MJ/SP/122, "The Information of Charles Taylor, 8 July 1749."

legitimate coals. To the men who worked for him as a merchant or as a receiver the relation was the same: either way the sacks weighed a couple hundredweight, payday was Saturday night, and the large part of the wage was given in drink.

The same team of coal porters worked for another dealer, John Wood, a wharfinger at the Timber Wharf below Beaufort Buildings, and a substantial property owner in the parish of St. Mary le Strand.¹ He hired them to carry five chaldrons of coals to a Button Shop in King Street, Covent Garden. Before they loaded a single sack from the lighter (at pool measure) they took five sacks to an empty house of Richard Unwin. Returning to the wharf they shortweighted the remaining sixty-five sacks so that it would appear as though the full five chaldrons with the ingrain allowance were present, then loaded them into the five

¹ Wood's house was rated by the parish at £80, about triple the rates of most houses in the parish. See Hugh Phillips, The Thames About 1750 (1951), p. 210. Twenty years later the Adam brothers built the subterranean Adelphi Arches about 50 yards west of Beaufort Buildings so that coal was carried beneath the buildings.

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waiting carts and drove them to King Street. Later a similar operation was performed on a consignment Wood asked them to deliver to a Boarding School in Upper Brook Street; they removed fifteen sacks from a sixteen chaldron order. At about the same time Mr. Wood ordered them to deliver twenty-one chaldrons, a London score, to Mr. Scott, a brewer. Again they stole the ingrain chaldron. And again Unwin had them deliver it to John Thrift who paid them twenty-seven shillings for it, and eight pence "Shooting." In June Unwin ordered Joseph Finder, one of the porters in this gang, to carry a stolen chaldron to a butcher in Maiden Lane, but when Finder refused Unwin "immediately discharged him."²

Remarkable in this series of information are the facts that the distributing and receiving networks of legitimate and criminal business were identical; that whether as felons or coal porters the work of lifting, carrying and carting

¹ G.L.C.R.O. (Mddx. Div.), Sessions Papers, MJ/SP/122, "The Information of Charles Taylor, 30 August 1749" and "The Information of Joseph Finder, 28 June 1749." It was Finder's discharge that sent him to Justice Fielding's to inform, and it was the threat of this that brought Taylor around to Bow Street.

² Ibid.

the sacks of coal remained as burdensome; that the results of their work - legitimate or 'felonious' - brought no advantage but a regular wage and drink; that the consumers of the coal (a butcher, a brewer, a button shop keeper, and boarding school master) did not detect, or if they did were not able to correct, the deficiency in their ordered measure. To be sure there is the suggestion in the first of Taylor's informations that in addition to their work for Unwin the porters stole "parcels" on their own.¹ Otherwise the overwhelming impression given by this case was that theft was not an addition to the wage or an advantage to the porters, but an addition on their work: opportunities to steal were as often assigned by their employer as they were created by the porters. One wonders that Unwin did not become, at the hands of his porters, a victim of his own devices. William Dickenson, two and a half years later, decided to rob the merchant who hired him as a coal porter; but he was hanged.²

¹ One is also curious to know what happened to the coal which made the sacks light and which Unwin damned them for.

² The Ordinary's Account, 13 January 1752.

Most of the crimes of those whose days were ended at Tyburn and who had at some points in their lives worked in the London coal trade were committed not as an aspect of the labour process but in a context quite outside that of actual work.

Then who would work and not go a-thieving
Then who would work and not go a-thieving

went the refrain to a ballad pointing out the "inconveneinces of working and the advantages of thieving" the rest of which Francis Place unfortunately forgot.¹ The crimes of these men were committed not through the work process but against work. Nevertheless to understand why this was so we still must refer to the experience of work and in the London coal trade the coalheaver was the key figure.

The coalheaver shovelled coal. From the colliers moored in the channel of the Pool (the stretch of river between Ratcliff Cross Stairs and Execution Dock) altogether between 400 and 900 men transferred coal into barges whose shallower draught enabled them to dock alongside the coal wharfs.² The coalheaver worked in a gang of sixteen or

¹ Brit. Mus., Add. MSS. 27825. Place Collection. Volume 37 ("Grossness"), fol. 152.

² Contemporary estimates vary as to the number of coalheavers. "A Spectator" in 1768 put their number between 400 and 500, Public Advertiser, 21 July 1768. The Treasurer Solicitor estimated 670, P.R.O., T.S. 11/818/2696. The Middlesex Justices received an estimate of "800 and upwards," Orders of Court (1768), MJ/OC/8. Earlier in Anon., The Case of Mr. R--ds (1758), the number was put at 900.

eighteen men who were arranged in groups on a series of ascending platforms from the bottom of the ship's hold to the deck. From one platform to the next they shovelled the coal. This was the method of unloading coal until 1758 when the practise of 'whipping' was introduced but this did not become prevalent until the 1780s.¹

It was, as Henry Mayhew wrote of it in the middle of the next century, "the greatest labour, perhaps, performed by any man."² At that time even the strongest were crippled by it inside of twelve years. In 1757 according to a Parliamentary investigation very few lasted in the work beyond six or seven years.³ Injuries from falling lumps of coal or slips upon the planks and platforms took a high toll among the men. Back-breaking work, it required a strength and intensity of exertion that quickly exhausted the body. Among several estimates as to the amount of drink required to replenish the men during work, six or seven pints a day was one of the lower estimates.⁴ In the heat and still air

¹ See below, pp.512.

² London Labour and the London Poor (1851), iii, p.

³ J.H.C., xxvii, (28 April 1757), p. 859.

⁴ Ibid., for other estimates see those recorded in Mayhew, op. cit., iii, pp.

below decks coal dust was all pervasive, blackening the men and irritating their throats. "You can scrape the coal-dust off the tongue with the teeth," one heaver said.¹

This dangerous and difficult labour was also highly uncertain. The winter gales of January and February deterred ships from leaving the Tyne during those months so there was no work in London.² In other months plans to stagger the departure dates in order to assure London with a steady supply failed to compensate for the advantages gained against the tempests of the North Sea by sailing in convoy.³ Arriving in the Thames estuary the colliers had to stand by waiting for the east wind to take them up river to the Pool.

To the hazards of wind and water were added the socially-determined uncertainties of the monopolists. Those who dominated the chain of transport and trade, stretching from Newcastle through the Pool, the quays, and the streets to the Londoner's hearth, tended to move in an opposite direction

¹ Mayhew, op. cit., iii, 9.

² Ashton & Sykes, op. cit., pp.

³ One such plan is offered in The Annual Register, August 1768.

to the movement of coals. Thus, the owners of carts, the Company of Woodmongers dictated prices and conditions to the rest of the trade until they were compelled to surrender their charter in 1668.¹ From that time until 1730 the owners of the Lighters dominated the market setting up on the basis of their monopoly as crimps or factors in the trade -forestalling and engrossing it to their advantage. 9 Anne c. 28 and 1 George I c. 26 failed in their principle² object, the prevention of combinations among the Lightermen.³ 3 George II c.26 by allowing shipmasters to use lighters of their own broke the lightermen's power. Subsequently complaints of engrossing the trade or forestalling the market were laid against the ship owners or the Newcastle fitters.³ Whoever dominated the Coal Exchange at Billingsgate, the departure of ships from the Tyne and their arrival in the Pool were not determined to fit either the needs of the metropolis nor (of course) the necessities of the coalheavers who could not expect work for anything more than half the year at best.

¹ T.S. William, op. cit., p. 40. In 1677 many still sent agents down river to attempt to forestall the supply of coal.

² Ibid., J.H.C. xxi, p. 517, where it was stated to the House of Commons that twelve lightermen bought half the coals in London.

³ Raymond Smith, op. cit., passim. See also, Lond. Corp. R.O., Repertories, Vol. 144, Vol. 133 (22 February 1739/40).

Wages were unsteady: in 1757 they varied between fourteen pence and three shillings per man per score unloaded.¹ In a long summer day it was possible to unload three or four scores. With a rising market in autumn as stocks were prepared for the winter or when the east winds brought a glut of colliers to the Pool the ship masters were ready to sell at any price so long as they could buy ballast, pay their crew, and return to the north. Then the coalheavers' labour was in great demand and combinations suddenly joined on ship for higher wages (with the threat of leaving the collier half loaded) accounted in part for the variation in the wage. The necessity of swift unloading at the crowded docks did not work always to the coalheavers' advantage. In 1751 or 1752 Harry Cummerfoot, "a poor labouring Coalheaver," slowed down work to bargain for higher pay. Recompense of ten shillings was demanded from his employer. When Cummerfoot refused to pay it he was committed to prison.² Employers in 1750 promised a gang of coalheavers two shillings the score to unload the ship Sarah but when the gang was out in the Thames "they were

¹ J.H.C., xxviii, p. 264 (May 1758).

² Anon., The Case of Mr. R--ds (1758), p.

greatly hinder'd and stopt for two days" unless they agreed to work for less. Thomas Forgie, the gang's leader or "marketman" petitioned the Middlesex justices for compensation and won, but not near to the amount they had lost.¹

Even with work at good pay the coalheaver rarely saw more than half his wage. Under one pretense or another it was whittled down by the group of men who contracted their labour to the ship masters and formed them into gangs. They were called undertakers.² They were "of the same Origin with the Working Men, but who, either from Chance or Frugality, are become established Alehouse-Keepers, and as such their Habitations are the sole Places of Rendezvous for those Labourers."³ They appear to have become a force in the trade in the 1720s. Accounts differ as to the amount of deductions that the undertakers took, but the general classes of deductions are clear enough: between

¹ G.L.C.R.O. (Mddx. Div.), Sessions Papers, MJ/SP/19, "The Humble Petition and Appeal of Lawson Maston," 15 Jan. 1751.

² Accounts of these men can be found in Ashton & Sykes, op. cit., pp. 205 ff.; M. Dorothy George, "The London Coal-Heavers: Attempts to Regulate Waterside Labour in the Eighteenth and Nineteenth Centuries," The Economic Journal, Economic History Series, No. 2 (May 1927), pp. 229-248; J.H. Clapham, An Economic History of Modern Britain, i (1930), pp. 233 ff.; W.J. Shelton, English Hunger and Industrial Disorders (1973), pp. 165-184.

³ Anon, The Case of Mr. R--ds (1758).

sixpence and ninepence a day was taken for drink (adulterated beer, small beer sold for strong, gin at short measure); a shilling or eighteen pence was deducted as "Commission money" for each ship unloaded; two-pence a day clear to the undertaker; a penny a day to the undertaker's drawer, and another to the maid; and a halfpenny rent on the shovel per chaldron unloaded or a shilling rent a ship was charged.¹

The last deduction was especially poignant: perhaps nowhere in eighteenth century London was the exploitation of labour through the separation of labour from the tools of production so gross. A coalheaver's shovel was "different [in] Nature and Construction and consisted of more Materials" than other types and could not "be purchased in common with other Tools."² Two men (Ivison and Oakham) made them, and they refused to sell them to coalheavers or mend those the heavers' owned. One Caleb Smith, an ironmonger, attempted to make them, but when he sought to buy two dozen ash handles in Gracechurch Street, Ivison intervened to prevent the sale. Usually sold for three shillings six pence, when the Pool was

¹ Ashton & Sykes, op. cit., and George, op. cit., give different amounts for these various deductions. J.H.C. xxvii and xviii (1757 and 1758) and Anon., The Case of Mr. R--ds (1758) supply figures too.

² See J.H.C., xviii, p. 264 (30 May 1758).

glutted five shillings six pence could be got for them. A tidy profit for their makers, but nothing to compare to the 300% return that the undertakers got from renting them.

At the beginning of the seventeenth century coalheavers were organized in the association of Billingsgate Porters or Fellowship Porters.¹ By the end of that century as non-Freemen, sailors, and soldiers were allowed to compete for the work the advantages which the Billingsgate Porters may have afforded the coalheavers had disappeared. In 1695 the City attempted to organize the coalheavers into a separate fellowship ("no sufficient Provision or care hath been taken of such who are employed in the discharge and unburtheninge or unloading of Ships or Vessels").² Its real intention however was to raise revenue for the City by taxing the proposed fellowship to the amount of five hundred pounds a year. The coal heavers defeated it by appealing to the Privy Council and going out on strike. When the coalheavers sought incorporation upon their own

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See Walter M. Stern, op. cit., chap. 5, "Fellowship Porters." But even at this time coalheavers were reputed to be "loose, idle fellows," as a 1639 Middlesex presentment stated. See R. Keith Kelsall, Wage Regulations Under the Statute of Artificers (1938), republished in W.E. Minchinton (ed.), Wage Regulation in Pre-Industrial England (Newton Abbot, 1972), p. 191.

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H.B. Dale, "The Worshipful Company of Woodmongers and the Coal Trade of London, Journal of the Royal Society of Arts, lxx(1922) pp. 816-823.

terms, as they did in 1681 and again in 1703, the City successfully blocked them. Paternal protectionism had never been successful and when it was proposed officially it was ambiguous and likely to be neither paternal nor protectionist. The coal merchants in 1731 delivered a strong attack upon the few Billingsgate Porters who still worked in the trade, but the influence of that association had vanished by 1739 when the coalheavers drew up "Articles of Agreement" for the establishment of a benefit society which would dock wages for a fund "in care of Sickness, Lameness, Old Age, or for burying the Dead, and as a Provision for their Widows and Children."¹ The undertakers destroyed the project: one of its leaders, the publican "R--ds," lost his license to sell beer and had his plate seized in distress of the fine levied against him. The separate powers of the constables, headboroughs, and magistrates, closely intermeshed with the interests of the undertakers, provided a social mechanism which not only shattered the remnants of an older paternalism but crushed new attempts at protection. In 1764 John Ives was hanged, the only Fellowship Porter among the twelve hundred odd

¹ Corp. Lond. R.O., Small MS. Box 1, No. 33, and Anon., The Case of Mr. R--ds (1758), pp.

persons hanged at Tyburn for whom we have record. He had
never heaved coals.¹

With only the faintest reminiscence of better days, emasculated by the undertakers, fully without work for two months, dependent otherwise on the vagaries of the wind, the sea, and an unpredictable market, burnt out by the work in half a dozen years, few were the coalheavers who did not seek to escape these terrible exigencies. Most had other sorts of work: many were sailors, others soldiers in the guards, some were agricultural labourers or gardeners, some hawked fruit or went haying and hopping in season, one we know was a lamplighter, another a shipwright, and so forth. Little hope could sustain men in this work. Francis Place, an ambitious young apprentice, had only contempt for his brother who aspired to become a lighterman carrying coals up and down river. Place's father-in-law, a coal porter in Whitefriars, died of drink.² In its seasonality, its uncertainties, its oppressions, and with the high turnover of its labour force, we should

¹ The Ordinary's Account, 11 June 1764.

² Brit. Mus., Add MSS. 35142-7 (Place, Autobiography, vol. I) fols. 150 and 195.

regard the men who heaved coals not as coalheavers as though it were a life-time trade but as men who take to it from force of circumstance and who in their attempts to escape it should be understood in other contexts. One of these, an attractive one, was thievery.

Robert Elements, hanged in 1732 for a highway robbery, had served four years to a carter and wrought in heaving coals from time to time.¹ Edward Wentland, a sixty-six year old, had been a Grenadier, an East India sailor, a jog boot maker, and a coal and ballast heaver. He was hanged in 1732 for stealing two guineas from a man on the highway.² Thomas Travis was born in the Shadwell workhouse. As a child-a pilferer, as a youth-a seaman aboard a Newcastle collier, as a young man - a coalheaver: his maturity was cut off at Tyburn where he suffered for stealing a woman's gown in Ratcliff Highway.³ Lawrence Lee, an Irishman, was hanged in 1749. He had been a coalheaver but "could bear it no longer" and took to robbing

¹ The Ordinary's Account, 26 July 1732, and The Proceedings, 5-8 July 1732. "Under the Tree he call'd for Drink, and it was coming to him in time, when I was praying he call'd out, Coachman, will not you give me a Pint?"

² The Ordinary's Account, 22 May 1732, and The Proceedings, 19-22.

³ The Ordinary's Account, 17 ii 55.

with another Irishman. They robbed a Gentleman and "found two Rings, one Gold, set with Diamonds, the other Gold with a Picture of the Prince of Wales." They fenced the rings to Nathan Ashur, a Jew, who when he saw the rings advertised, turned in the two Irishmen.¹ Thomas Clark was born in York in 1710. He came to London, lived about Ray Fair, and found work on the colliers and other river craft. "He did not commit many Robberies in the Street or in Shops, but made it his constant Business to go on the River to steal Sugar, Tobacco, and all Sorts of Goods but generally in small Parcels." So the Ordinary tells us and in this case we might expect him to know because Margaret Frame, formerly his servant, had set herself up in Ray^g Fair as a receiver and she fenced most of Thomas Clark's booty.

Philip Wilson and John Harris, both hanged in 1753 on a breaking and entering charge, grew up, worked, and robbed in the East End. Wilson, born in Shadwell, orphaned in Shadwell, worked in Shadwell rope walks, shipped to

¹ The Ordinary's Account, 24 November 1740, and The Proceedings, 15-18 October 1740. He was hanged however for a major (and) burglary: 31 coats, 23 waistcoats, 6 linen shirts, 13 breeches, and 13 jackets.

Newcastle several times on a coal run, and heaved coals at Shadwell Stairs. Harris, like Wilson the husband to a Fleet bride, grew up in Stepney, worked on Thames ships, Shadwell rope walks, sailed to the "Black Indies" (as Newcastle was sometimes called), heaved coals in the river and sailed to Virginia, the Straights, Norway, and the West Indies.¹ Timothy Steward was twenty-two when he was hanged in 1764 for stealing a metal watch. His father was a Kensington gardener, a life offered to the son but declined for the opportunities of London, and there he did coal heaving and went robbing.²

From what we know of the lives of these men, the impression is left that their crimes ought not be placed in the specific context of coalheaving but in the more general context of casual river labour of which, as their careers indicate, coalheaving was clearly a part. Workers in these casual jobs - at rope walks, on colliers, as watermen, as sailors - insofar as they took to crime formed

¹ The Ordinary's Account, 1 October 1753. G. Parker, A View of Society and Manners in High and Low Life (1781), ii, offers a lexicon of cant which in parts appears indistinguishable from sailors' jargon: "Black Indies", an example of the latter in a compendium of the former.

² The Ordinary's Account, 28 March 1764.

social organizations quite clearly independent of their work, yet based in a general way upon the river. Richard Keeble offers us an example of a member in an organized gang of river thieves.

He was hanged on Kennington Common in 1743 for returning from transportation. Born in 1715 to "poor but honest Parents" (his father was a drummer in the Coldstream Regiment of Foot Guards) in Bermondsey Street, Southwark, by the age of fourteen he had committed his first felony, the robbery of a chandler's shop in east Smithfield. This success induced him to give up his apprenticeship to a carpenter. We may let the Rev. Mr. Wilson, lecturer of St. John, Southwark, continue his story:¹

Capt. Keeble (as he was call'd amongst his Confederates) ... had lin'd himself into a Gang, who used to call themselves River Pirates: These were a Sort of Thieves who robb'd Ships as they lay at Anchor on the River Thames; for in the Night-time they us'd to steal a Boat from the Moorings at the Stairs on either the London or Surrey side of the River, and as Keeble and one Matthews who us'd to go by the Name of Cock-Eye Jemmy, and who was Lieutenant of the Gang, understood rowing and were acquainted where the rich Ships lay, they went on board in the Night-time, broke open the Cabbins, and took out every Thing of Value.... There were so many Robberies of this Kind committed

¹ A Genuine Account of the Behaviour, Confessions, and Dying Words of the Malefactors ... who were Executed at Kennington-Common (1743).

about Nine or Ten Years ago, that the Masters of Ships were obliged to keep a nightly Watch to protect themselves against these amphibious Thieves. Keeble's Brother was transported for a Theft of this Kind; and the first time that Dick was transported, was for stealing a Box of Lace from a Flanders Trader.

Among other members of this gang of river pirates was John Fosset who was hanged at Tyburn in 1738. He'd spent four years at sea, had been in and out of prison, and was frequently "in want of Bread." Living with his mother and sister in a Whitechapel cellar most of his crimes were of those of the "Water Lay." His mother discussed this with one of the victims of his crimes:

I told her I did not like to be robb'd with a Pistol; no, my dear Honey, said she, you are mistaken, - he never robb'd with a Pistol in his Life. Why, how did he use then to rob, says I? He seldom robs on Land, said she; most of the Robberies that he has committed were upon the Water. (1)

Another member of this gang of river pirates was John Glew Gulliford who was born in 1714 to a river waterman and veteran of the naval wars of Queen Anne. Although the son too became a waterman even as a child about the river he was known to live "mainly on the sneak." He robbed

¹ The Ordinary's Account, 8 Nov. 1738, and The Proceedings, October 1738.

warehouses on the keys, received the "little parcels" of stolen goods from sailors, and with Fosset and Keeble "we all entered into an Agreement to go upon the River and take any Thing we could get." Once he stole a firkin of butter off Dice Key and was caught and transported. He was transported several times in fact and escaped as many. He fenced his goods to Betty Barefoot and Jenny Johnson in Rag Fair. Finally, he was hanged in 1742.¹

These three perhaps knew Charles Rogers who was hanged at the age of twenty-two in 1737, at least it was said of him that he knew "all the Gangs of Thieves at that [east] End of Town." He was born in Whitechapel, apprenticed to no trade, never went to Church, and was illiterate. In the summer he worked in the harvests and in the autumn he "wrought in barges and heav'd coals." He was hanged for robbing a Customs House officer who was leaving a bagnio in Goodman's Fields. He allowed the officer to keep six pence to pay the waterman as it was late at night and the "watermen generally insist on something extraordinary when it is late." Some weeks later

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The Ordinary's Account, 13 January 1741/42, Gulliford's father lost his place at Greenwich hospital because he visited his son in Newgate between the time of the death warrant coming down and the hanging.

the officer was being shaved at a barber's in Lemon Street when he saw Rogers passing in the street. He was followed to a victualling house, but none of the people in the house would assist the officer in making an arrest ("they are People of ill Characters in the Neighbourhood"). A warrant was obtained, constables gathered up, and Rogers was overwhelmed in a glass house yard with a few other¹ "slender Carcass'd Gentlemen."

John Osborn and John Longmore were both hanged in 1732, at the time that many robberies on the river were committed and when, according to Mr. Wilson, the ship owners hired a nightly watch to protect their cargoes. 1732, a year before the presentation of the Excise Bill, also represented the end of about a decade's attack of crime upon the river. Osborn, born in Wapping, failed to complete his apprenticeship to a waterman, instead he plied about the river as a thief. Longmore, his friend and accomplice, worked from time to time on ships on the river. His mother kept a shop in Rag Fair and it was

¹ The Ordinary's Account, 29 May 1737, and The Proceedings, 26-28 May 1737.

to her and Moll James and Black Peg that they fenced their goods. About fifteen men (no women) were concerned in their capture. They spent the time between their trial and their hanging writing on the prison walls. When the Ordinary came to visit them to transcribe their biographies¹ "they laughed all the Time."

Most all of these men were very much of the river: they could navigate river craft; they knew the tides and currents; they knew the docks and stairs; they knew where ships bearing rich cargoes were moored; they maintained their connections with regular fences, usually women and sometimes Jews. Many had served part of an apprenticeship on the river; others worked on it; and for some their

¹ The Ordinary's Account, 5 June 1732, and The Proceedings, 25-29 May 1732. Corp. Lond. R.O., Reward Certificates for apprehending highwaymen and housebreakers, Misc. MSS. 152.5. Either the City paid rewards only in 1732 or these are the only record of rewards that were paid.

first sight of London was received on the decks of a collier as the east wind brought it around the Isle of Dogs to the Pool.¹

Several of the men whom we've described, like Harris and Wilson, had served on the small crews that sailed the three-masted, square-rigged 400-ton Newcastle colliers down the coast to the Thames. This work being seasonal and ill-rewarded, was to the men who did it like coal-heaving: hardly a trade at all. It was however a good way of getting to London. Born in York, Thomas Hally

¹ Those without knowledge of the river and who came to it green for the plentitude of tarkets it offered did so foolishly. Silas Told (The Life, 3rd edition, 1796, pp. 80-81) tells the pathetic story of one Anderson, "a poor labouring man," with a daughter, a wife far gone with child. Destitute of money, clothes, "a spot where to lay their heads," and hounded by creditors, Anderson told his wife one morning, "My dear, I have a strong inclination to to down upon the Quays; it may be the Lord will provide for me a loaf of bread or some employment whereby we may sustain ourselves." He was provided with two washerwomen whom he robbed of sixpence. After he'd been hanged, Silas Told, endeavoured to have Anderson's wife entered into the lying-in hospital, but the worthies there, afraid that should she die during childbirth leaving them with the cost of her burial refused to admit her. The couple having recently come to London no church warden could be found to vouch for her. Silas Told begins a subscription on her behalf in his congregation of Methodists. The mother lived, and^a daughter was born who eventually got apprenticed to a weaver.

worked for two years on colliers sailing to London. He was hanged in March 1749 for a highway robbery.¹ John Steward, born in Glasgow, also spent two years shipping from the 'black Indies:' he was hanged at the age of twenty-four for a robbery.² James Chapman, born in Northumberland, served out an apprenticeship on a Newcastle collier and then worked on them for a further six years before he was impressed in 1758. In 1763 he was hanged for a highway robbery. He drank so much it was said that he fairly floated in pubs from which fact he derived his nickname, the "Lily."³

David Brown, born in Newcastle, served as a cabin boy to a West Indiaman for some years, and then returned to England where he worked on a collier. He was hanged in October 1751 for a highway robbery. Owing to the

¹ The Ordinary's Account, 17 March 1749.

² Ibid., 4 Aug. 1749.

³ Ibid., 15 June 1763. Collier crews were not recruited only in the north. Thomas Trevis, for instance, was born in Shadwell, his mother sent to the work house and the son then went pilfering and labouring about the river. Several times he sailed on colliers, The Ordinary's Account, 17 March 1755.

accident that the Ordinary recorded in Brown's brief biography the names of his friends we can, taking this as a starting point, trace an ever-widening circle of his acquaintances, a circle formed by mutual friendship, and common experiences in work and the milieu of the river parishes.¹ One of his friends was James Newton, born in Norwich, apprenticed to the master of a Holland trader, shipped to the West Indies a few times, who altogether spent twelve of his twenty-nine years at sea. Returning from the Caribbean he took lodgings in Cable Street, Whitechapel, and found work coalheaving. In 1751 he was taken at The Queen's Head in Cable Street, was tried, convicted, and hanged in November a month after Brown suffered.² A friend of his (also of Brown) was Michael Soss of Stepney. For a dozen years Soss worked for rope makers in New England before he returned to London where he worked on Shadwell rope walks in Sun Tavern Fields.³

¹ The Ordinary's Account, 23 Oct. 1751.

² Ibid., 11 Nov. 1751.

³ Ibid., 11 Feb. 1751. Thirteen or fourteen men worked in a rope walk. After combing the hemp ("hackling" it) the strands were "teased" into rope yarn. The "junks" thus formed were tarred, and then "formed" and "laid" on the rope walk whose length had to exceed that of the rope being formed thereon. Except for "teasing" most operations required little skill. When some soldiers sought work at a Boston ropewalk in 1770, an altercation ensued which led to the Boston "Massacre." See, S.E. Morison, The Ropemakers of Plymouth (Boston, 1950), pp. 9-13, and R.B. Morris, Government and Labor in Early America (New York, 1946), pp. 190 ff.

He, too, took to robbing and was hanged in February 1751 with one Thomas Applegarth. Applegarth, a sailor born in Chatham, had also gone robbing with David Brown. Another of Brown's friends, William Tidd, was hanged in December 1750. Tidd was born in Deptford, lost his father at sea, and quit his apprenticeship to a Southwark barber when it became clear that his master was on the verge of bankruptcy. "It was not long after this that Tidd in his Walkes fell into Company of those that taught him how to provide for himself." and he quickly "shewed Marks of great Proficiency in the Ways of Wickedness."¹ He was hanged with Anthony Byrne, a thirty-six year old sawyer, sailor, and vicutaller, the last of Brown's friends, at least of those whom the Ordinary records in Brown's biography; we shall see that he had others.²

But at this point we may pause for a moment. Clearly we are dealing with what the Ordinary elsewhere would call a "knot" of thieves. The image is apposite: the men were bound together, in an association whose ties were neither as tightly drawn as those of a gang (like Keeble's) nor as tangled as those of the parasitic collaboration that

¹ The Ordinary's Account, 31 Dec. 1751.

² Ibid.,

Jonathan Wild organized. It is to be regretted that neither the evidence of their trials nor the extant informations and examinations of the Middlesex and City judicial archives allows us to discover the exact ways in which these men were captured, for surely this sudden appearance in the course of a year and a half of perhaps two dozen river people at the gallows was the result of a determined effort. In January 1751 Henry Fielding published his Inquiry into the Causes of the late Increase of Robbers.¹ At the same time the King asked the House of Commons to consider measures "for enforcing the Executions of the Laws."² In November the King again addressed Parliament: "I cannot conclude without recommending to you in the most earnest Manner, to consider seriously of some effectual provisions to suppress those audacious Crimes of Robbery and Violence which are now become so frequent, especially about this great Capital."³ The House of Commons appointed a Committee "to revise and consider the Laws in being, which relate to

¹ One of the first reviews of this work (Monthly Review, Jan. 1751) stressed the fact that its subject was not a special criminal class, but "a class of all others most necessary and useful to all, yet the most neglected and despised; we mean the labouring part of the people."

² J.H.C., xxvi, p. 3.

³ Ibid., p. 298.

Felonies...."¹ It appears probable that Brown and his friends were apprehended in part of a campaign of which these moves by the government were but a part. What concerns us, however, in these men is not the problems they posed to "good Order and Government," but their particular place in the nexus of the river. Sailors, rope makers, watermen, coalheavers: their solidarity, we've suggested, was not founded through a single trade, but in part by the circumstances of seasonal, casual, and oppressive labor. The other side to such work, as contemporaries could not tire of pointing out, was Idleness. They were men who tried to live without working, and for a short time they did.

Go with me and do as I do and Money shall
never be wanting. I live well upon the Lay
and have every thing at Command. We cannot
be hanged more than once, and there's an
End.

With these words (as the Ordinary records Holme's recollection of them), David Brown enlisted William Holmes to go robbing. Holmes was hanged in November 1751, the

¹ For a description of the Committee's work and recommendations (which in the event concerned the administration of the Poor Law as much as it did the criminal law) see, Radzinowicz, i, pp. 415-424.

month after Brown suffered.¹ Now Holmes (hanged for stealing a silver shoe buckle with James Newton) used to also go thieving with one Richard Holland whose recorded circle of friends both takes us deeper into crime about the river and leads us out from it into other 'knots' and associations. He was born in 1722 in St. George's-in-the-East. Having served two months of an apprenticeship to a waterman, he quit and at the age of fifteen he went to sea. He returned in 1749 and took to highway robbery. At Billingsgate he learned to discover which merchants and dealers possessed cash and with this information he followed them to Chatham or Gravesend where he robbed them. The work had its ups and downs ("Sometimes he was dress'd as gay as might be, and sometimes like the dirty Scoundrel he was"), and it didn't last him long: he was hanged at Tyburn in 1751.²

Holland robbed with James Field, an Irishman, and one of the guards at the public house, The Fox, in Drury Land. Many of those who had participated in the rescue of Harper in 1744 lodged at The Fox; Field who

¹ The Ordinary's Account, 11 Nov. 1751.

² Ibid., 29 July 1751. See also, Tower Hamlets Central Library, St. George's-in-the-East. Burial Book, 1747-1767. S/128.

served on a man-of-war for many years had joined in that rescue.¹ He was hanged in February 1751 for robbing a man on the highway of thirteen shillings and a pair of spectacles worth twopence.² Richard Holland was also friends with Anthony Whittle, a man born in New England and who spent most of his twenty-eight years at sea in the Atlantic and Caribbean. In the crew of one ship he met "Bowen" who had also been concerned in the Harper rescue. Whittle hanged in October 1750.³

Another in the list of Holland's friends was Benjamin Beckenfield who, though known as "Ben the Coalheaver" was not held in high esteem by his fellow "honest" coalheavers, according to the Ordinary. Ben the "Coalheaver" went robbing with Ely "Horseface" Smith and Henry Webb, both sailors, until these friends were hanged in August 1750.⁴ At that time one Luke Ball signed a

¹ See ~~pp~~ my paper, "Pitkin to the Start," op. cit.

² The Ordinary's Account, 11 February 1751.

³ Ibid., 3 October 1750.

⁴ Ibid., 8 August 1750.

long information against Ben ~~and~~ the "Coalheaver" who was as a consequence brought to trial and hanged on the last day of 1750 for a robbery of a Gentleman's hat.¹

Russel Parnel was born in 1727 in St. George-in-the-East. He was bred to a Shadwell rope walk and when he was old enough (or strong enough) he worked in a coal-heaving gang. By the time he was nineteen he was known in Shadwell as "a prime Hand, and one that carried a good deal of Sway among those Sort of People." For six years he robbed about the east End selling his goods to Cable Street and Back Lane receivers. We cannot be certain that he belonged to the same circle of mid-century thieves that we've described. We do know that after he was condemned his friends "Came with their Peace-Offering in their Hand, and bribed him to Secrecy, by affording him Subsistence during Life, and furnishing him with a proper Dress to be hanged in." After his hanging in 1752, a hearse his friends had hired carried away his body and he was peacefully buried.²

¹ The Ordinary's Account, 31 December 1750. G.L.C.R.O. (Mddx. Div.), Sessions Papers, MJ/SP/125, "The Examination of Luke Ball," 15 August 1750.

² Ibid., 13 Jan. 1752. Tower Hamlets Central Library, St. George's-in-the-East, Burial Book, 1747-1767, S/128.

The circle of acquaintances widens further. For example, Holland's sister married a Smithfield butcher who used his connections at that market to much the same purpose that Holland used Billingsgate: to locate likely prospects for highway robbery.¹ A friend of Ben the "Coalheaver" and of Thomas Applegarth, Benjamin Chamberlain, points in a different direction. He was a Clare market butcher who was taken up by the constables in the 1749 Penlez Riot.² In either case a quite different social nexus properly provides the context to their crimes and to their lives.³ We might pursue these different directions noting the names, friends, and connections of the male-factors of mid-century London as Namier and his followers have catalogued the acres, relations and interests of Members of Parliament until the law breakers were as minutely recorded as the lawmakers. However, at this point we may merely summarize the connections among the

¹ The Ordinary's Account, 29 July 1751.

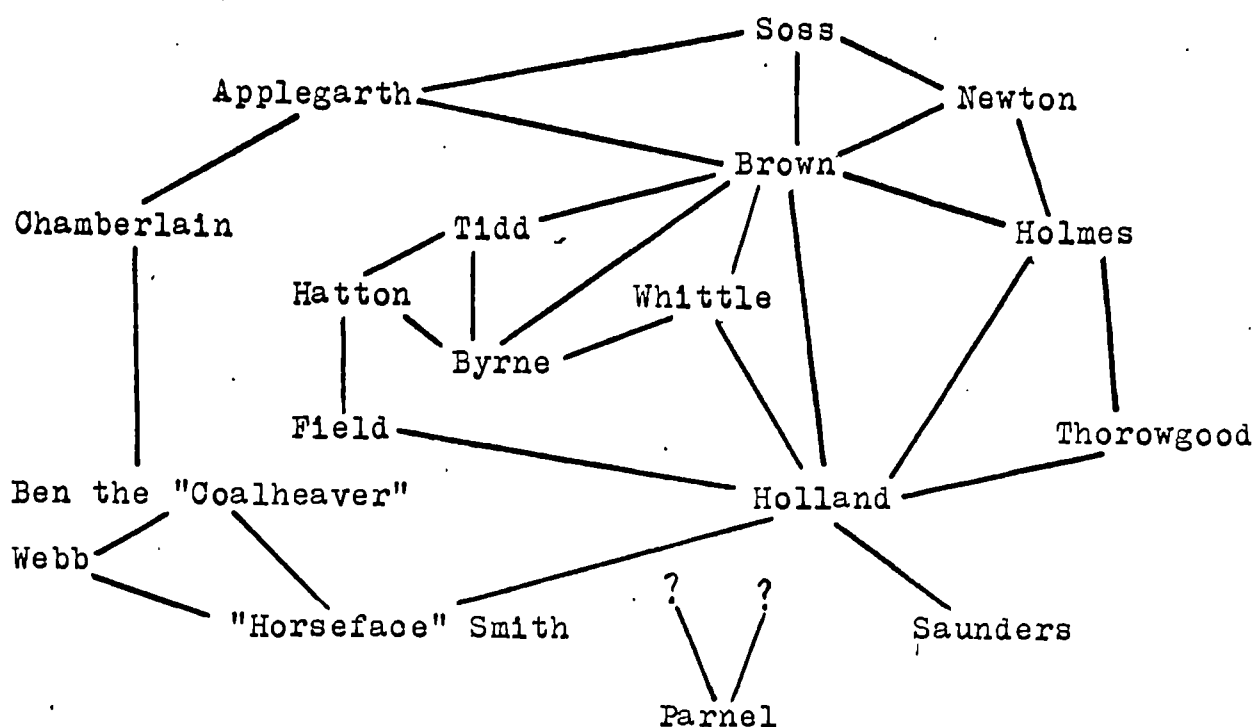
² Ibid., 8 July 1750.

³ Jesse Walden was a butcher and highwaymen. ~~when we discuss elsewhere~~ We note here that he had been to sea and occasionally worked in the river at coalheaving. The Ordinary's Account, 7 April 1742. Similarly we treat John Bonen (probably the man whom Whittle met at sea) in another context, though he was closely associated with James Field. G.L.C.R.O. (Mddx. Div.), Sessions Papers, MJ/SP/131, "The Information of John Bonen," 20 July 1749.

east end river thieves hanged between 1750 and 1752 in a diagram, realizing, however, that ^{it} represents more than a cotery of the clannish river population, but at several points broadens afield to other 'knots' and connections of the eighteenth century London crime.

DIAGRAM I.

FRIENDSHIPS AMONG EAST END RIVER THIEVES HANGED 1750 - 1752



Chapter Twelve:

COALHEAVERS AND THE "TUMULTS" OF 1768

"Five pounds for a sailor's head
and twenty for a master's;
We will cut the lighterman's throats
and murder all the meters."

James Beckett,
Lond. Corp. R.O., Sessions Papers (1768).

"I don't know any-thing can give you a more perfect
Idea of the Behaviour of these sort of People, who I
call the Labouring Poor, than their Combinations in
their Business."

Daniel Defoe,
The Great Law of Subordination Consider'd (1724).

With the exception of the river workers hanged in the early 1730s, most of the coalheavers and their friends in other types of river work were hanged in the first two years of the second half of the century, at a time which saw an offensive by the government and the metropolitan magistracy launched against "Crimes and Robberies." In the next decade we find the coalheavers of the east end beginning to organize their struggle for an improvement in the conditions of work which in the dialectics of such struggle does not terminate their exploitation but alters the conditions of it. During this period we find evidence neither for the petty, pilfering crimes conducted through the labour process, nor for the larger crimes committed entirely outside the conditions of work and in a sense against work itself. Instead we find evidence of the organization of coalheavers on the basis of their work relations and of a struggle which illegal, and hence criminal, later historians have nominated 'industrial.'

The antagonism between the undertakers and the coalheavers burst out anew in 1757. Then the coalheavers petitioned Parliament against the undertakers who had "artfully insinuated themselves into the Favour of the

Masters of Ships employed in the Colliery."¹ An investigation followed which gathered evidence about the trade which produced the passage of 31 George II, c. 76, the 1758 Coal Act, despite the efforts of the undertakers (including an attempted bribe to remove the Bill) to block it.² The Act put the coalheavers under the "care and management" of the Alderman of Billingsgate Ward. His clerk was responsible under the Act for the registration of coalheavers, the allocation of gangs to collier masters, the receipt and distribution of wages, and the organization of a sickness and burial fund financed by a deduction from wages of two shillings in the pound.

At the start the Act was successful, and forty-nine gangs or perhaps eight hundred or so men, registered under it.³ But the deficiencies of the Act, the absence of a wage-fixing clause and the failure to oblige ship masters to apply to the Registry Office exclusively, soon became

¹ J.H.C., xxviii, p. 73 (9 February 1758).

² See J.H.C., xxvii, p. 859 ff. (April and May 1757), and xxviii, pp. 73 (9 Feb. 1758), 202 (19 Apr. 1758), 259 (30 May 1758), and 264 (2 June 1758).

³ Anon., The Case of the Coalheavers (1764).

clear. In the same year the undertakers introduced on some commissions the practise of "whipping" coal which by employing a system of baskets, ropes, and pulleys, reduced both the time required to unliver a ship and (by approximately one half) the number of men in a gang required to do so.¹ Able to offer higher wages in these conditions the undertakers began to undermine the protections afforded by the Coal Act: once again we find an instance where a technical change in the conditions of

¹ Mayhew, op. cit., iii, pp. 237-38, describes how coal is whipped. Whippers worked in gangs of nine. Four "fire-men" in the hold loaded a basket with coal. On deck four "up-and-down-men" grasped a rope and by pulling on it and jumping up a series of steps called the "way" and then by holding fast to the rope they threw themselves from the top of the way to the deck thus 'whipping' the basket up from the hold. Standing on a plank suspended across the hold, a "basketman" caught the swinging basket in such a manner as to employ its rebounding motion to his own task which was to empty the basket in the vat. The work required dexterity, practised timing, as well as considerable power, and each man was highly dependent on the others for his own safety. However, it would not be strictly accurate to describe this work as "skilled," an able man might gain proficiency in a week or two. Certainly it should not be called "skilled" in relation to coalheaving, as Shelton, op. cit., p. 170 does. A lighterman noted to the Parliamentary committee of 1757 that "there is more Art in Coal-heaving than is generally imagined," J.H.C., xxvii, p. 859. Of course there is art and skill in the rhythms needed to husband and deploy great strength: but this is not the point. Undertakers did not need to invest time to train workers, and they were able always in these years to advertise for labour from all over the British Isles.

production is caused by the opposing power of the workers and used to repress that power. The safeguards of legislation were further eroded when it was learned in 1762 that Francis Reynolds, the Registry Office clerk, had made off with most of the sickness and injury funds.¹ In 1764 the coalheavers petitioned Parliament again asking for legislation to strengthen the 1758 Act. The petition failed. The grip of the undertakers over the men hardened. At the same time real wages deteriorated. By 1767 the rise in the cost of food made conditions intolerable.

The outrages committed by the coalheavers during the first few months of 1768 occurred at the tail end of a decade's price rise. In 1761 the quarternloaf in London cost fourpence halfpenny. Increasing by pennies and halfpennies a year, by 1767 it almost had doubled at eightpence farthing. In 1768 it fell again to sixpence halfpenny, the 1764 level.² The price of peas increased by

¹ George, op. cit., p. 2, and Shelton, op. cit., p. 168. See also, "The Present State of the Coalheavers explained and considered," a report from one of the Government's spies, 30 June 1768. William L. Clement Library, Ann Arbor, Michigan, Shelburne Papers, vol. cxxx.

² See T.S. Ashton, Economic Fluctuations in England, 1700-1800 (1959), p. 181. The curve of the price of bread paid by Greenwich Hospital over this same period was identical: a steady rise from 1761 to 1767 and a slight drop in 1768. See William Beveridge et al., Price and Wages in England from the Twelfth to the Nineteenth Century, Vol. i, Price Tables: Mercantile Era (1939), p. 292.

twenty-two percent between 1765 and 1768 at Greenwich Hospital. Though with peas as with bread a decline of prices began in the first six months of 1768. The price of wheat paid by the Navy Victualling Office in London more than doubled between the spring of 1760 and the spring of 1767. In the autumn and winter of 1767-1768 it too began a decline. The price of beef oxen increased by thirty percent over the decade of the 1760s.¹

By January 1768 the coalheavers began to form mutual protection associations of their own. In these autonomous clubs, similar to the type that had failed in 1739, the coalheavers "were sworn to be always aiding & assisting to his Fellow Members." One was called "The Brothers" and the other "The Bucks."² Six months later when the evidence of these clubs was brought to light at the Old Bailey and in the reports of Government spies the allegation was frequently made that they were outgrowths of Irish secret societies. It is a view that should not be discounted as the undertakers had begun a policy in

¹ Beveridge, op. cit., pp. 568, 569, and 570.

² Corp. Lond. R.O., Sessions Papers, Bundle 1768, "The Information of George Mayhew, 30 June 1768."

the summer and fall of 1767 of recruiting in Ireland.¹

At approximately this time Ralph Hodgson, Esquire, a magistrate living in Shadwell Spa, began his honourable but personally disastrous (as events turned out) intervention in the situation. Though accused of acting from motives of greed, these may be largely ignored because as we shall see the accusations came from men whose rapacity was known up and down the docks and who had a personal interest in discrediting Hodgson.² Hodgson himself was a well-heeled magistrate. Though living in Shadwell Spa most of his property was elsewhere. He held leaseholds on all messuages and tenements on the west side of Newton Street in St. Giles-in-the-Fields, and many of the south side of High Holborn. In addition he owned coachhouses and stables in Woodstock Mews, St. George, Hanover Square, and in Golden Lane, St. Giles, Cripplegate.³ Late in 1767 or early in 1768 he attempted

¹ "The Present State of the Coalheavers explained and considered," fo. 4: "One new Device they found out to reduce the Men's Wages for their own Emolument was to invite Numbers of Men from Ireland, whom for some time they got to work at what Rate they pleased."

² See below, pp.

³ G.L.C.R.O. (Mddx. Div.), Justice's Qualifications Oaths, MJP/Q, vol. ii (1750-1763).

to organize a viable scheme for the coalheavers. After paying Hodgson's clerk a shilling a coalheaver was then licensed to heave coals. Wages were fixed at twenty pence the score, and fund for the sick, the injured, the widowed, the orphaned and for burials was established.

Of this service, he wrote,

these poor people were extremely sensible, and, on the footing upon which I had contributed to put things, so far as my influence extended, everything went on quiet and smooth without any the least prospect of distrubance. The men daily improved in industry and circumstances, and I had the satisfaction of seeing all the inhabitants of my Precinct, who were not linked or connected with the Coal-undertakers, pleased with the justice done to the Coal-heavers and with their being put into a way of delivering from those harpies who had hiterto kept them at such hard and scanty bread. (1)

The plan, "like one Publican keeping a pot of beer better than another" as Hodgson said, was successful. The "harpies" however were provoked and they enticed the men to desert Hodgson's office by an offer of two shillings a score.²

The advantage thus gained was soon lost as the ship masters threatened to employ their own sailors at a lower

¹ Ralph Hodgson, The Conduct of Ralph Hodgson, Esq; One of his Majesty's Justices of Peace for the County of Middlesex, in the Affair of the Coal-Heavers (1768), p. 11.

² Ibid., p. 15.

rate ("which certainly they had a right to do: even though that kind of labor might, by a kind of prescription of custom, be deemed the property of the Coal-heavers, whose livelihood depended on it.")¹

Hodgson's independent intervention goaded William Beckford, the Alderman of Billingsgate Ward, to revive the Registry Office that the Coal Act had placed within his purview but which had laid defunct since the scandal of 1764. Beckford's authority, as opposed to Hodgson's, was clearly established in the 1759 statute. Any moral authority he may have been able to claim as an independent and impartial intermediary was destroyed by his first initiative in the newly opened Office. His agent, one Russel, hired two clerks, John Green and Thomas Metcalfe, both of whom were well-known publicans and undertakers.²

¹ Ralph Hodgson, The Conduct of Ralph Hodgson, Esq; One of his Majesty's Justices of Peace for the County of Middlesex, in the Affair of the Coal-Heavers (1768), p. 15.

² William Beckford inherited an enormous Jamaica fortune. He "expanded his operations as a merchant in London." He left his son a fortune worth one hundred pounds per annum. See, D.N.B. However, we do not know whether his "operations" were expanded into coal dealing or whether his financial interests interlocked with those of the undertakers who often were ship owners and coal factors (see "The Present State of the Coalheavers," fo. 10). A leading opposition M.P., and twice Lord Mayor, his first Mayoralty is remembered for its sumptuous banquets.

This act culminated a long series of grievances and the coalheavers struck work on the Thames. "Turned adrift to starve, goaded by necessity, and enraged at finding their bread thus taken out of their mouth, the coalheavers fell into those outrageous illegal excesses...."¹

Thus by the third week of February there were four competing organizations of London coalheavers: Hodgson's office, Beckford's office, the undertakers who like as not were willing to see the conflict between the two Registry offices devour one another to their advantage, and finally the coalheavers themselves some of whom at least were formally organized as "The Bucks" and "The Brothers." The initiative lay with them. On 24 February Metcalfe, keeper of The Salutation Inn in Wapping Wall, found his house attacked by coalheavers "assembled in a riotous and tumultuous manner."² Again on 6 March they invaded the house, "pulled down the Chimney piece, broke the Windows, China Bowls, Decanters, and almost everything else in the Bar." Metcalfe had fled. Following this

¹ Hodgson, op. cit., p. 16.

² G.L.C.R.O. (Mddx. Div.), Orders in Court (Feb. 1763 - Dec. 1773), MJ/OC/8, "Petition of the Inhabitants of Shadwell," 19 May 1768. See my map, p. 565.

Green opened his house as a registry office and placed advertisements for labour. His house was threatened; he sent his relatives away; and then began some serious trouble.

On the evening of Saturday, 16 April, "a great Number of Coalheavers" assembled in front of Green's house, The Roundabout Tavern, throwing stones at his windows and promising "that there should not be One Stone of his House left upon another." Twice Green fired at the coalheavers, waking the neighbours, before they retreated. As they did one of them, Thomas Farmer, alias "Tome the Terrible," was captured by James Marsden, the keeper of The Ship and Shears in Ratcliff Highway, a headborough for the Tower Division, and a coalheavers' undertaker. Marsden was mobbed and Tom "Terrible" released.¹

¹ The story of the coalheavers' attack on their undertakers in April has been told several times: see M.D. George, "The London Coal-Heavers: Attempts to Regulate Waterside Labour in the Eighteenth and Nineteenth Centuries," The Economic Journal Economic History Series, No. 2 (May 1927), pp. 229-248; George Rudé, "Wilkes and Liberty, 1768-9," The Guildhall Miscellany, i, no. 8 (July 1957), pp. 3-24, and by the same author, Wilkes and Liberty: A Social Study of 1763 to 1774 (1962), pp. 95-98; Henry C. Randall, "Public Disorder in England and Wales, 1765-1775," unpublished Ph.D. (Chapel Hill, 1963), pp. 186 ff.; and recently by Walter J. Shelton, English Hunger and Industrial Disorders: A Study of Social Conflict during the first Decade of George III's Reign (1973), pp. 165-184. While differing on some

Footnote #1 continued

points with these authorities I am in general indebted to them all. My own account relies upon several classes of documents (and Hodgson's printed apology) which have not heretofore been explored, namely, 1) the informations and examinations of witnesses retained by the Corp. Lond. R.O., Sessions Papers, 1768 Bundle, 2) lists of innkeepers and alehouse keepers held by the G.L.C.R.O. (Mddx. Div.), MR/LV/8/25, and 3) the examinations collected by the Middlesex Coroner but retained by the Corp. Lond. R.O.

Three days later on Wednesday, 20 April, the day that Wilkes was freed at the Court of King's Bench,¹ a group of coalheavers assembled at The Ship and Shears breaking its windows and shouting imprecations at Marsden threatening "to cut his throat out & broil it."² At about seven o'clock they turned off the Highway into New Gravel Lane shouting "Wilkes and the Coalheavers for Ever!" and asking householders to light up their windows. Many complied. Even Metcalf lighted up The Salutation Inn in Wapping Wall.³ The wife of a mariner peered out of her window in New Gravel Lane and was amazed at how the candles lit up the street. Some did not light their windows and the bands of coalheavers that saw this smashed their windows. Others, like George Clubb, a New Crane grocer, while setting out candles with his wife and brother, also made sure to bolt the door.⁴ John Green shut his windows, chained his door, and went upstairs to the window and loaded a blunderbuss ready for any provocation, which in the event was not long coming.

By eight o'clock half a dozen of the coalheavers began throwing stones and brickbats at his windows and

¹ Rude, op. cit., p. 47.

² Corp. Lond. R.O., "Examination of Michael Collins of St. George," Coroner's Report, 23 April 1768, p. 9.

³ Ibid., "Examination of George Clubb of New Crane," pp. 1-3.

⁴ Ibid., "Examination of Robert Andrews of Shadwell, Surgeon," p. 17.

daring him to "Fire, you Bougre!" Green or somebody in his house which contained besides himself two lodgers, his mother-in-law, and a constable, Mr. Carr, did. One Thomas Smith, a shoemaker, was severely wounded and before he could be removed from the pavement bled to death.¹ On hearing the shots the main body of the coalheavers returned from their lighting peregrinations to the sight of blood. They swore that "they wou'd have Green's Heart and Liver and Do for him;" that they would "have him joint from joint;" that "they would have his heart and liver, and cut him in pieces and hang him on his sign;" or that "they would hang him over his Sign Post & cut him into Beef Stakes."² William Wake, a coalheaver and a soldier, seized a crow bar while another coalheaver grabbed a hatchet, and together they tried to break through the tap room door. Firing resumed from the windows and "battlements" of the roof and Wake took a bullet through the crown of his head, "dropped down backwards, and never stirred."³

¹ Corp. Lond. R.O., "Examination of Robert Andrews of Shadwell, Surgeon," p. 17.

² The witnesses at the Coroner's examination had as good a memory for these imprecations as they had bad for identify-persons. The Solicitor-General also was fond of writing them down, see P.R.O., T.S. 11/818/2696.

³ Corp. Lond. R.O., "Examination of Robert Andrews of Shadwell, Surgeon," op. cit.

The coalheavers regrouped some say at Thomas Axford's house, The Swan and Lamb in New Crane, and began to besiege the house in earnest.¹ "Ten or a dozen firearms mysteriously appeared (Tom Kelly, keeper of The Star in Star Street was accused of delivering them), and other coalheavers armed themselves with staves and cutlasses.² Brickbats fell on the Roundabout Tavern "as if an Hailstorm." David Cremer and two other coalheavers entered a house opposite Green's, climbed to the garret (where lived Mary Taylor whose husband was at sea), and began to fire muskets using the brass buttons of their coats and bits of a pewter pot for ammunition.³ A hundred coalheavers were said to have been involved in the attack that night. The firing was often interrupted. Green argued with the mob asking "what he had done to them" and

¹ John Humphries, a Shadwell lighterman, saw "one Kelly who keeps the sign of the Star ... delivering coalheavers firearms, swords, and cutlasses," Corp. Lond. R.O., "Information of John Humphries," 14 June 1768, Sessions Papers, Bundle 1768. Also see the Crown brief prepared against Kelly in P.R.O., T.S. 11/443/1408.

² Corp. Lond. R.O., "Examination of Mary Taylor," Coroner's Report, 23 April 1768.

³ P.R.O. T.S. 11/818/2696.

"they answered that he was a Murderer."¹ Repeatedly he shouted out his stairs' window asking the neighbours to fetch "proper Officers" or the Guards, but without avail. Early the next morning by a simple ruse he tricked the coalheavers into allowing the constable to leave his house to notify the magistracy and then to return to it, falsely promising the coalheavers that he was about to apprehend Green. Later the mob in the street promised "they would have Justice in their own Hands."² They did not disperse until ten o'clock Thursday morning when a contingent of the Guards finally arrived from the Tower.

With two dead and several wounded (including Green who had been grazed on the neck and Dunster, Justice Hodgson's clerk who received a slight wound in the hand), the affray at Green's was not as serious in terms of lives lost as were later conflicts of the spring and summer. On Wednesday week, for example, three sailors unloading coal from a ship in Wapping were killed by coalheavers.³ How-

¹ Corp. Lond. R.O., "Examination of Mary Taylor," op. cit.

² Ibid., "The Examination of William Burgess of New Crane." The coalheavers kept watch on the house all night with the word, "All is well except Green."

³ Berrow's Worcester Journal, 5 May 1768. The reference is to an attack by coalheavers and lumpers upon a collier in Wapping which was being unlivered by its crew. A Party of the Guards dispersed the rioters.

ever, as the riot at Green's is especially well-documented it permits us to discover some of the tensions within Shadwell where the other incidents cannot.

On Thursday, the day the attack ended, Justice Hodgson began examining witnesses to bring Green and one of his lodgers, Thomas Gilberthorp, to trial on a charge of murder, "what I knew he could very well answer," Hodgson said.¹ Earlier Hodgson had offered to go in person to The Roundabout Tavern but Green had declined this offer of protection. According to Hodgson he did so because Hodgson had once refused to appoint Green his clerk on the grounds that Green "had been too much concerned in the business of Coal-undertaking which so naturally made him obnoxious to the Coal-heavers."² Hodgson's own influence with the coalheavers could not make them leave off their attack on 20-21 April, and it was his order that brought troops the next morning. Nevertheless criticism of Hodgson began almost immediately.

Inferior parochial officers were in the vanguard of the attack. A constable of St. George-in-the-East,

¹ Ralph Hodgson, The Conduct of Ralph Hodgson, esq.; one of His Majesty's Justices of the Peace for the County of Middlesex, in the Affairs of the Coal-heavers (1768), p. 24.

² Ibid., p. 22.

Thomas Lacon or Lecorn, complained that Hodgson let loose two rioters without committing them for trial, Richard Cornwall (who was later hanged) and David Cremer (apprehended a year later and transported). James Marsden as a Tower Division headborough signed a long petition of "The Inhabitants of Shadwell" (actually the undertakers of Shadwell) in May against Hodgson and sent it to the Middlesex Sessions of the Peace at Hick's Hall. It's difficult to avoid the impression that the local parochial officers were in the pocket of the undertakers: a neighbouring constable introduces irrelevancies in his testimony at the Old Bailey for the purpose of discrediting Hodgson;¹ The Shadwell constable aligns himself firmly with the coal-heavers' most resolute opponent; the headborough joins the attempt to remove Hodgson from the Commission of the Peace. This is to be expected. The Tower Division of the Middlesex Hundred of Ossulton contained most of the river parishes (Ratcliff, Shadwell, St. George-in-the-East, and Wapping)

¹ The Proceedings (1768), p. 253. "Question. What corpse was that which Cornwall stood over? Lecorn. That was Wake a soldier. I saw bits of pewter and one ball in Mr. Green's fore-chamber, one pair of stairs, the next day; I took one of the principal rioters, and carried him before Justice Hodgson, and he cleared him directly; the bits of pewter...." Hodgson (op. cit., p. 25-27) refuted this charge or its implication by pointing out that the man was brought to him not as a rioter but for assaulting Lecorn who according to Hodgson refused to prosecute.

with which we are concerned. In 1757 it had twelve headboroughs. Eight of them were victuallers, two were pawnbrokers, another a Chandler, and the twelfth a broker. Men in these occupations set the terms for the daily struggle for existence: credit for supper, a loaf of bread, fair interest on clothes in pawn, were in their power to bestow or withhold.¹ This power with that devolving on them as officers of the parish made their grip on the labouring poor complete.

Allied with the little officers were greater men, householders, publicans, powerful undertakers, and aspiring and in some cases actual magistrates. Together they attacked Hodgson for his "notorious inactivity and supineness with regard to any measures for quelling the riots."² Among the signatories to the petition against Hodgson we find

¹ Henry Mayhew, London Labour and the London Poor, ii (1851), pp. 233-47, records the oppressions suffered by coalheavers from victuallers and brokers. G.L.C.R.O. (Mddx. Div.), Sessions Papers, MJ/SP/48 (December 1757), records the occupations of headboroughs. A year earlier they had been: seven victuallers, a distiller, an oilman, a Chandler, a draper, and a dyer, ibid., MJ/SP/15 (October 1756). P.R.O., T.S. 11/818/2696 and Anon., The Case of Mr. Francis Reynolds (1758) says that many headboroughs were also undertakers.

² G.L.C.R.O. (Mddx. Div.), Orders of Court, MJ/OC/8, pp. 79-81 (19 May 1768). Eighteen men signed "The Petition of the Inhabitants of Shadwell" and no women. See also I.E.V. Forrester, "The Middlesex Magistrate, 1760-1820", unpublished M.A. thesis (University of London 1933) p. 48 ff.

George Caffrey, keeper of The Black Bull in New Gravel Lane, Thomas Wright, keeper of The Duke of Cumberland in Coal Stairs, Robert Anderson, keeper of The Queen's Head in New Crane, Roger Wilson, keeper of The Ship in Coal Stairs, and Burford Camper, keeper of The King of Prussia in Wapping Wall, a coal merchant whose house was raided in March, a man who will be rewarded for his opposition to the coal heavers with a place on the Middlesex Commission of the Peace which he will use to great effect against the weavers in 1769.¹ Finally, Boulton Mainwaring and John Shakespeare, Tower Division magistrates, pushed the Middlesex bench in September to appeal to the Lord Chancellor for the removal of Hodgson.² John Shakespeare was the son to a coal merchant and had interests in the trade himself. Mainwaring, well-known as an undertakers' friend, had ordered the reduction of a fine imposed on one of them some years earlier.³

¹ G.L.C.R.O. (Mddx. Div.), A Register or Kalender of all the Innkeepers and Alehousekeepers within the Tower Division, MJ/LV/8/25(September 1763) and MJ/LV/8/68 (September 1770). Burford Camper's career is touched on in Shelton, op. cit., p. 180 ff. For his role against the weavers in 1769 see ~~below pp.~~ and, for example, the examinations in Corp. Lond. R.O., Sessions Papers, Bundle 1769.

² G.L.C.R.O. (Mddx. Div.), Orders of Court, MJ/OC/8, p. 84 (8 September 1768). John Hawkins, Thomas Lane, Saunders Welch, and five others "did not vote in this Business."

³ G.L.C.R.O. (Mddx. Div.), Sessions Papers, MJ/SP/19, Boulton Mainwaring to Mr. Lawston Maston, 16 October 1750.

On 20 May Green and his lodger, Thomas Gilberthorp, were tried and acquitted at the Old Bailey for the murder of Smith and Wake. In July seven coalheavers, John Grainger, Daniel Clark, Richard Cornwall, Pat Lynch, Thomas Murray, Peter Flaherty, and Nicholas McCabe, were sentenced to death at the Old Bailey for "wilfully and maliciously shooting" at John Green "in his Dwelling House," one of the scores of capital offenses proscribed by the Waltham Black Act.¹ At Green's trial a whitesmith, a shipwright, and one Anne Davis testified to his innocence. Thomas Axford of The Swan and Lamb, Thomas Maplan of The Ship, and Malachi Doyle provided testimony against Green.²

¹ The case was appealed on the grounds that only four of the men sentenced to death were even accused of shooting at Green's; and that as "aiders and abettors" the other three should be allowed benefit of clergy. The judges in the case (the Grainger's Case or the Coalheavers' Case) reaffirmed the verdict because the Waltham Black Act removed benefit of clergy from the punishment of principals in the second degree, and the men should therefore hang. Thus the scope of one of the worst drafted, bloodiest, and broadest Acts of law in English history was extended still further. See Radzinowicz, i, pp. 54-56 and 71-72, and E.P. Thompson, "9 George I, c. 22 and The Waltham Blacks" (unpublished manuscript 1973), chapter eleven, section 3. The London correspondent for the Berrow's Worcester Journal suggested (ironically, as we take it) another reason why Grainger, one of the "abettors" should suffer: "supposing he was ever so innocent of shooting at Mr. Green, he had been guilty of crying out 'Wilkes & Liberty for ever!'" A crime infinitely more unpardonable than the former," 28 July 1768.

² P.R.O., T.S. 11/443/1408; and The Proceedings, July 1768.

Axford and Maplan lost their licenses as innkeepers as a result. Doyle, later acquitted for participation in another bloody fray, insisted at that second trial that he was victimized for giving testimony against Green.

Threats of a ducking in the Thames or being made to ride "the Wooden Horse" may have deterred other witnesses from appearing in favor of Green.¹ Ann Davis five months later was assaulted and had her jaw broken by John Connolly who said she perjured herself at the trial.² Horace Walpole reported that Green's sister was mobbed as she celebrated her brother's acquittal.³ At the second trial on 7 July the government appears to have had the same difficulty in

¹ The Skimmington was frequently used as a popular punishment by the weavers in Spitalfields and Bethnal Green. For these and other forms of 'rough music,' see E.P. Thompson, "'Rough Music:' Le Charivari anglais," Annales E.S.C., 2 (mars-avril 1972), pp. 285-312.

² Berrow's Worcester Journal, 27 October 1768.

³ Horace Walpole, Memoirs of the Reign of King George the Third (1894), iii, pp. 148-149. Walpole's account is full of exaggerations and inaccuracies. Hodgson is called "Houston." Eighteen are supposed to have been killed not two. He says two others were in the house where more credible witnesses say four, and so on. Some doubt may be expressed when he writes of Green's sister, "her house was attacked by those assassins, their faces covered with black crepe, who tore her into the street, and murdered her." Shelton, op. cit., p. 175, accepts Walpole's account writing that the coal-heavers "tore to pieces Green's sister."

convincing witnesses to testify against the coalheavers. They had no trouble with the undertakers of course; George Caffrey of The Black Bull and Robert Anderson of The Queen's Head were leading witnesses for the Crown.¹ Otherwise the government's case relied on the testimony of a master printer, a master hatter, a lighterman, and a ballast man.

More remarkable than those who were persuaded to testify at either of these trials were those who did not. On Friday, 22 April, the Middlesex coroner held an investigation at The Marlborough's Head in Fox Lane into the murders of Smith and Wake. A dozen witnesses, close neighbours to Green's, appeared to offer detailed testimony, but the government could convince only two of them to testify (Thomas Cummings, a waterman at New Crane, and John Humphries, a lighterman).² The others, a shopkeeper, a ballast heaver, and five women identified as the wives of a mariner, a sailor, a butcher, a tobacconist, and a

¹ P.R.O., T.S. 11/442/1408.

² Ibid., and Corp. Lond. R.O., Sessions Papers, Bundle 1768, "The Examination of Thomas Cummings," 22 June 1768, and "The Information of John Humphries," 14 June 1768. Nine weeks elapsed between the shoot-out and their informations.

tidewaiter, refused to testify or were threatened not to, yet from the accounts they gave to the coroner they witnessed the shoot-out from close quarters and for most of the night.¹ While these people remembered what was said, at what time events happened, they refused to name names at the Coroner's inquest. We may assume that they might have: the parish world was not so large that only strangers would gather at a neighbour's house; besides two of the witnesses were struck by the fact that Smith, the slain cobbler was a stranger to them and, as they implied, to the parish.

Shadwell was part of a great city. However, it was also a parish and not a particularly large one. M. Dorothy George estimated the population of the parish in 1710-11 to be 13,002, while in 1801 she estimates it at 8,828.² In 1770 105 inns and alehouses were licensed in the parish;

¹ Corp. Lond. R.O., Coroner's Report, 23 April 1768. The women were Mary Taylor ("her lodging is right facing Mr. Greens"), Elizabeth Cowley ("saith she lives very near Mr. Greens"), Elizabeth Henley of New Crane ("her House exactly faces Mr. Greens"), Elizabeth Mellish of New Crane ("her House is about forty Yards from Mr. Greens"), and Jane Shephard of New Gravel Lane.

² M. Dorothy George, op. cit., Appendix III (B), p. 410.

by 1816 the number had declined to 83.¹ We mention these figures to point out that while London as a whole grew by leaps and bounds in this period the demographic pattern of any single parish must be studied on its own account. In Shadwell the population actually declined. Furthermore, sociological conclusions drawn from demographic evidence should have corroborative support. For example, it may be true that much of the Shadwell population was composed of migrants, but we should not for that conclude that the parishoners were strangers to each other or generally "shiftless."²

Sussannah Broom came to Shadwell from Oxfordshire and married a Rag Fair street hawker whom she murdered in 1739. To read her trial is to gain a glimpse of the gossip, jealousies, and cooperation of the life of the poor in Shadwell lodging houses. A whalebone salesman in the garret above them, the lodger in the rooms below, a woman around the corner, and a neighbour down the alley,

¹ G.L.C.R.O. (Mddx. Div.), A Register ... of Innkeepers, MR/LV 8/25 (September 1770), and "A Magistrate of the County of Middlesex," Minutes of Evidence Taken Before a Select Committee Appointed by the House of Commons to Inquire into the State of the Police of the Metropolis (1816), p. 215.

² E.A. Wrigley, op. cit., p. 51, refers to the shiftlessness of a population composed of migrants.

all had heard their night fights; they knew when the rent hadn't been paid; they knew when she'd been drinking, when he'd been loafing, what they had in pawn; and when their tensions between them became explosive they offered to share their own rooms and blankets with one of them to prevent possible violence and one imagines to have a peaceful night.¹ In 1768 with the rise of food prices and with the hardships of the strike, we may imagine that the poor of the parish in countless, small ways helped one another get through the days without food or assist the family whose husband had fallen. Parochial life had its tensions and conflicts: we should not paint a picture of parochial solidarity during those times, but equally we should not carelessly refer to the "shift-less" or "anonymous" population. There was nothing "anonymous" about John Green or his enemies. He had been

¹ The Ordinary's Account, 21 Dec. 1739, and The Proceedings, 5-10 December 1739. Shelton, op. cit., p. 161, writes of migrants to London, "the new arrivals disappeared into the densely populated eastern and southern parishes of London." In 1801 the mean number of persons per house in Shadwell was fully half of that in St. Giles's-in-the-Fields, or St. James's, or St. Mary le Strand, see George, op. cit. Judging from the evidence of Rocque's map it was a rare house in Shadwell, Ratcliff, or St. George-in-the-East that did not have a view of an open field or at least a garden.

fingered, a marked man, and his days were numbered as long as he stayed in Shadwell. He fled to Lambeth. In 1770 we find that The Roundabout Tavern was kept by John Hutchinson. The Government appointed Green a magistrate with an annual pension from the Secret Service money of 280 pounds for life. In 1779 he applied for preferment in the Middlesex Volunteers.¹

In the second week of July another trial against the coalheavers allows us to penetrate the complexities of parochial life from a different angle. At that time nine coalheavers were tried for the murder of John Beattie, a seaman working the collier Freelove, on the 24 May, Whit Tuesday.² By that time the pressures on the coal merchants, the undertakers, and the heavers had multiplied. We may take up the story with the words of a Government spy. The April "Outrages"

threw Matters into Confusion, and the Men were again at a Loss to know under whose Direction or on what Terms they were to work, till their Complaints were heard and their Affairs apparently settled at a Meeting of the Foremen of the Gangs of Coalheavers and some few Owners of Coal Vessels with the Alderman & some Justices

¹ Shelton, op. cit., p. 183, and John Norris, Shelburne and Reform (1963), pp. 191-3.

² The Freelove was a Whitby-built collier of 450 tons. In 1746 James Cook, the explorer, made his first voyage aboard her in the coast coal trade. T.S. Willan, The English Coast-ing Trade, 1600-1750 (Manchester, 1938), p. 19.

of the Peace at Whitechapel. At that Meeting the only Objection the Coalheavers made to their registering at the Alderman's Office was that two Shillings in the Pound was too heavy a Deduction at the present Rate of Wages. After this had been duly considered, it was amicably settled that two Shillings per Score for the whole Year (as a proper medium Rate) should be paid the Coalheavers; on which Terms they were very willing to allow the Deduction. As this Settlement could only bind those who were present and agreed to it, the Owners and Masters of Coal Vessels were in general extremely averse to it; they declared loudly that the Coal Trade could not bear so great an Advance of Wages, and that rather than pay it they would hire no Coalheavers but employ their own Seamen to unload their Ships at the former Rates. (1)

The coal masters' move was extremely astute. Eventually by late summer it succeeded in defeating both the coalheavers and the sailors, but this success was attained only at great risk and with much bloodshed. In the first three weeks of May the policy of dividing the river workers against each other almost backfired threatening instead to unite coalheavers, watermen, ballast heavers, and sailors in an autonomous struggle against the merchants and the magistracy.

¹ "The Present State of the Coalheavers explained & considered," 30 June 1768.

In early May the coalheavers extended their strike activity to include the stopping of coal carts on land. Notices were posted at coal yards and coal wharfs stating their case. Wharfingers were petitioned not to break their strike now growing to a boycott. The undertakers raised the price they were willing to pay the coalheavers by twopence a score heaved. By the middle of May traffic on the keys, and shipping in the Pool were brought to a standstill.¹ For a time it appeared that only the re-deployment of the fleet at Sheerness and the southern ports to the Thames could break a growing general strike on the river.² This danger was the result of an accidental and shaky conjunction between the coalheavers demands and the parallel demands of the sailors.

On Saturday, 7 May 1768, a group of seamen entered an alehouse, took a room, called for beer, and sent for the keeper of the house who having been bred a seaman

¹ Ibid., 12 May, 5 May, 19 May 1768; The Public Advertiser, 12 May, 13 May, 19 May 1768; and The Westminster Journal, 14 May and 21 May 1768.

² See the report of the government's well-placed spy, "Memorials of Dialogues betwixt several Seaman a certain Victualler & a S--l Master in the late Riot," Shelburne Papers, vol. cxxx.

they believed "to be a Seaman's Friend."¹ Earlier that day a deputation of seamen had petitioned the King but without avail.² They now wanted the keeper's assistance in making fair their rough copy of a call to a mass reading. It read

the Majority of the Body of Seamen now actually in the Port of London do hereby command & Require all Mates, Carpenters & Seamen now in the said Port of London to come on Shore & repair to the Half Way House Stepney Fields on Monday the 9th of this Instant May at 8 o'clock forenoon in order to consult proper Measures for raising their Wages. We do hereby require all owners and Masters of such Ships & Vessels as are now in the said Port to meet the whole Body of Seamen at the said Halfway House Stepney Fields at Eleven of the Clock on Monday the 9th Instant in Order to settle & regulate the said Seamen's Wages & to prevent the bad Consequences that will Certainly follow. We also desire all Watermen Lightermen Ballastmen Ballastheavers Coalheavers etc. to leave their Duty & not to go to Work till our Wages be settled.

The proclamation was signed "Seamen" with the additional note, "No W-- No K--." The alehouse keeper refused to cooperate with the men but quickly began to assist the remarkable tactical efforts of the magistrates and Govern-

¹ Ibid. The alehouse keeper is identified as "N." I have not been able to identify him from other sources. In 1770 no alehouse-keeper or victualler with a name beginning with that letter was licensed by the Middlesex magistrates in Wapping. In St. Katherine's Frederick Newhouse kept The Duke's Head in St. Katherine Street. In Whitechapel James Nicholson kept The White Hart & Three Tobacco Pipes in the High Street. In Shadwell William Nightingale kept The Paviours Arms, Ratcliff Highway. G.L.C.R.O. (Mddx. Div.), A Register of all the Innkeepers... (1770), MR/LV/8/68.

² Calendar of Home Office Papers of the Reign of George III, 1766-1769, 7 May 1768, p. 331.

ment spies. By midnight one "M." was called in to negotiate with the seamen. He was told "we have been rendered incapable of procuring the common necessities of Life for Ourselves & Family's, and to be plain with you if our Grievances is not speedily redressed there is Ships & Great Guns enough at Deptford & Woolwich, we will kick up such a Dust in the Pool as the Londoners never see before."

Getting no help from "N." or "M." the sailors that weekend posted their notices up and down the river and began to unrig the river ships. On Monday a spy from the Navy Office informed to the Secretary of State that they "completed what was before unfinished with respect to unmanning and otherwise disabling all the ships in the river from sailing."¹ In Stepney Fields that morning five or six thousand sailors assembled soon to be joined by the watermen and coalheavers. At this meeting they formulated three demands:

FIRST it was p^oposed that no Shipwright should be admitted to the Station of Carpenter in any Ship or Vessel but such as had serv'd a regular apprenticeship of Seven Years & that none of them going to Sea should take above one apprentice at

¹ Ibid., 9 May 1768, p. 332.

any one time & that all such as were employed in that Branch on Shore should not at any time indent above two apprentices at any one time & that the said Apprentices should serve seven Years.

SECONDLY That no Merchant Owner or Master of any Ships or Vessels should indent above two apprentices at any one time hereafter & that the said indent should be for seven Years No three Year Servants to be allowed.

THIRDLY That one Shilling per Day be paid to each able Seaman every day that any Ship or Vessel employ'd in the Coal Trade should be detained above six days in the Port of London. (1)

During the next several days the situation grew tenser. Pressure to act swiftly was placed on the Government. The Chairman of the Southwark Quarter Sessions complained on 9 May that all commerce was dead. The Hudson Bay Company complained to Lord Weymouth, the Secretary of State, that further delay of their fleet would jeopardize their North American factories. The Secretary of War, Lord Barrington, reminded the east end magistrates that troops from the Tower were theirs for the asking. By Wednesday six armed Admiralty cutters² were cruising in the Pool. Yet the Government did not have to fire.

¹ "Memorials of Dialogues...."

² Calendar of Home Office Papers of the Reign of George III, 1766-1769, pp. 336, 337, 341, 342, and 395.

A minister, an alehouse keeper, a Navy captain on half-pay, and several unnamed magistrates had at the beginning of the week formed a group that moderated the seaman's demands, drafted several of their petitions, and, most materially, obtained from the merchants sitting at a Cornhill coffee house their acquiescence to the first two of the sailors' demands.¹ This was enough to break the strike; most sailors returned to their ships. Some made "no Scruple to declare they had been Misled & Acted quite wrong that they must tack about and steer another Course and beat up a breeze." They formed bands that marauded through the river streets extorting "Money, Meat and Victuals" from shopkeepers. This was not near so dangerous as an all-river strike and a combination of philanthropy (bread and cheese for the distressed) and the military (bayonets for the riotous) quickly ended the scare.

On 20 May the already crowded river had to find room for a newly arrived fleet of colliers which that day sailed into the Lower Pool ready to be unladen. Collier crews, paid by the voyage and not by time, were impatient to unload them. Those crews that had participated in the river strike lost the demand that most affected their interests.

¹ "Memorials of Dialogues...."

The arrival of fresh crews unfamiliar with the struggles of the last fortnight increased the pressure upon the older crews to return to work. When they did dock war broke out, "Terror and Alarm" filled the neighbourhoods and scores were killed. To the coalheavers it was "Five pounds for a sailor's head and twenty for a master's; we will cut the lighterman's throats and murder all the meters."¹ The government's restraint during the past month in the use of force and the magistrates' quite brilliant manipulation of the seamen's demands now began to pay off: the river population was divided and at war. The government could act as the disinterested arbiter of the disputes of others. Blood flowed on the river, peace achieved and wages restrained.

Whit Tuesday morning (24 May) coalheavers disembarked ships, like the Molly at King James's Stairs, when they saw that the sailors at Shadwell Dock had hoisted a bloody, red flag of defiance.² A rumour spread that the sailors

¹ George, op. cit., p. 239 and Corp. Lond. R.O., "The Information of James Beckett," 30 June 1768, Sessions Papers, Bundle 1768, and also The Proceedings 6-9 and 11-13 July 1768, which records this slogan or snatch from a ballad.

² Ibid. No one at the trial disputed that the sailors' raised a flag as "a signal for others to go and assist against the coalheavers." The sailors of oceanic vessels struck between May and August to demand wages not just for the voyage out but for the return too. See Shelton, op. cit., pp. 184-192, and Rude, op. cit., chapter vi. These men are not to be confused with the crews of colliers who tried to break the coalheavers' strike, while the former were allies.

were coming on shore. The coalheavers collected in force, armed themselves with bludgeons and cutlasses, marched along the wharfs and then north to Stepney Fields where they had expected the sailors to arrive for combat. A little after mid-day they returned to the keys to find sailors unloading coals from the Thomas and Mary at Shadwell Dock. An attempt to persuade them to stop work failed, and in the tumult which followed on the causeway and in boats on the river, John Beattie, an apprentice seaman, aged 24, was wounded and died in hospital a fortnight later.¹

Nine coalheavers were indicted for their part in this murder, several of whom were also identified as participants in the attack at Green's,² and as leaders of the "Society of Bucks." As a case was built against them in the next month, several fled Shadwell. A party of the Light Horse pursued several into Kent.³ On 14 June The London Gazette offered a reward for the capture

¹ The Proceedings, 6-13 July 1768, and P.R.O., T.S. 11/818/2696.

² Ibid., and Corp. Lond. R.O., "The Information of James Becket," 5 July 1768 and another on 30 June 1768, Sessions Papers, Bundle 1768. Tom "Terrible" was one of these, Malachi Doyle another, and John Develin a third though not indicted for either action.

³ Berrow's Worcester Journal, 23 June 1768.

of five of them. A day later John Fielding's clerk wrote the Coventry magistrate, John Hewitt, to be on his lookout.¹ A week later four of them were apprehended in Stonehill, Stafford. The 10th Regiment of Dragoons escorted them back to London.² From prison they were taken across London chained two by two for their examination by John Fielding.³

Despite the fact that these men were ready and able to leave London and make their way via Kent to the Continent or via the Midlands to Ireland, we should not thereby deduce that their lives in London were rootless or anonymous. The government's net wound tighter and these men ran. Troops were posted frequently in Shadwell, Customs' House cutters patrolled the Pool.⁴ Pressures

¹ A Journal of the Proceedings of J. Hewitt, Senior Alderman of the City of Coventry in his Duty as a Magistrate, During a Period of Thirty Years and upwards, 2nd edition (1790), pp. 352-353. Hereinafter cited as "Hewitt," Journal.

² P.R.O., W.O. 4, Outletters, 83/46, fo. 483.

³ The Public Advertiser, 16 June 1768.

⁴ Ibid., caches of firearms and cutlasses are discovered in Shadwell.

upon witnesses no doubt increased. Evidence suggests that spies infested the ranks of the strikers. Some who testified at the trial were quite conscious of being considered a spy, whether justifiably we do not know.¹ Six days before the trial opened George Mayhew provided the government with evidence about the "Bucks" (that, for instance, they swore "to be always aiding and assisted his Fellow Members ... and not to reveal or divulge any thing that was done by them even tho' it was Murder") which clearly could have been obtained only from the inside. The government drew heavily upon this evidence in the preparation of its brief but cautiously withheld Mayhew from providing public testimony.² The accused drew upon their friends in Shadwell in making their defense. Thomas Davis, a former lamp lighter, "did not care who they killed, rather than his family should starve." Though born in Shropshire, five witnesses spoke to his good character including two of his former employers. James Murphy, one of those apprehended in Staffordshire, was accused of actually delivering the blow that wounded Beattie. Seven

¹ See for example testimony of James Green. The Proceedings, op. cit.

² Corp. Lond. R.O., "The Information of George Mayhew," 30 June 1768, Sessions Papers, Bundle 1768, parts of which appear verbatim in the draft of the "Brief of the King ag't Murphy & Others for Murder," P.R.O., T.S. 11/818/2696.

Shadwell witnesses spoke on his behalf. Three of them, a lumper, a coalheaver and a publican (The Pewter Dish) had known him for five years. A victualler and the keeper of The Swan in King Street testified for James Dogan. Malachi Doyle, also captured in Stonehill, a shipwright by trade, was supported by Mahoney, the keeper of The Swan, two former landlords and his present landlady.¹

Several types of solidarities besides the comradeship born of cooperation in the same labour bound the coalheavers to each other and to selected parts of the river communities. Common life in the tavern, alehouse and inn was one of these. Many of course were forced to drink in the public houses of their employers, the undertakers, but this experience only brought with it a suppressed hostility whose force we discover in the flashes of violence at The Salutation Inn or The Roundabout Tavern. Otherwise dozens of public houses in Shadwell and St. George's can be said to have been the coalheavers' own. Alehouses and taverns were not merely drinking spots: places to lodge, to eat, to draft a petition, to store

¹ See The Proceedings, op. cit.

arms, to discuss strike strategy or "Wilkes and Liberty," to form benefit clubs, to hear or tell news, or to hold a coroner's inquisition, or to dress a wound, they were the locus of life of the labouring poor. In 1770 ninety-eight inns and alehouses were licensed in St. George-in-the-East and one hundred five in Shadwell. The Table following lists those which figured in the riots of 1768. In Cock Hill The Pewter Dish was kept by James Macdaniel who may have at one time been a coalheaver himself with experience in struggle against the undertakers.¹ The "Bucks" met at The Horse and Dray in New Gravel Lane and later at The Swan in King James's Stairs. The Noah's Ark, a rendez-vous at the Whit Tuesday riot, was kept by Anne Anderson who came to the coalheavers' defense at the Beattie trial. Eight publicans lost their licenses for "encouraging and Harboring the Riotous Coalheavers."² Among them was Thomas Axford at whose house, The Swan and

¹ G.L.C.R.O. (Mddx. Div.), "The Humble Petition and Appeal of Lawson Maston," 15 January 1750/51, Sessions Papers, MJ/SP/19, where "James Macdaniel" appears with sixteen other coalheavers in a dispute against an undertaker. The name is a common one and they may have been different persons.

² P.R.O., T.S. 11/443/1408.

TABLE XV

1

PUBLICANS AND THEIR ROLE IN THE 1768 COALHEAVERS' STRIKE

<u>Name</u>	<u>Sign</u>	<u>Address</u>	<u>Role</u>
Timothy Macdaniel	The Red Cow	Old Gravel Lane, St. George's	Loses license for encouraging riotous coalheavers
Thomas Axford	The Swan & Lamb	New Crane, Shadwell	Loses license, seen directing attack at Green's
Thomas Maplan ²	The Ship	New Crane, Shadwell	Loses license for encouraging riotous coalheavers
Nicholas Jacobs	The North Country Cut	Risby Walk, St. Ann Limehouse	Loses license for encouraging riotous coalheavers
Joseph Mahoney	The Swan	King Street, St. George's	Loses license for encouraging riotous coalheavers
Thomas Sheene	The Blakeney's Head	New Crane, Shadwell	Loses license for encouraging riotous coalheavers
Thomas Kelly	The Star	Star Street, Shadwell	Loses license; seen supplying arms to coalheavers; flees the kingdom
Robert Kelly	The Action and Favourite		Loses license for encouraging riotous coalheavers
Anne Anderson	The Noah's Ark	Shadwell Dock, Shadwell	Character witness for John Castillo

TABLE (cont.)

<u>Name</u>	<u>Sign</u>	<u>Address</u>	<u>Role</u>
James Macdaniel ³	The Pewter Dish	Cock Hill, Shadwell	Witness for the defense of James Murphy and Castillo; himself a former coalheaver
William Terry	The Hoop and Bunch of Grapes	Ratcliff Highway	A place where coalheavers drink
Mary Mason	The Marlbor-Head	Fox Lane, Shadwell	Cite of the coroner's examination (22 April)
James Marsden	The Ship & Shears	Ratcliff Highway, Shadwell	Undertaker and Headborough; gutted 20 April
John Mansfield	The Horse & Dray	New Gravel Lane, Shadwell	Meeting place of the "Bucks"
Elizabeth Woodhouse	The Swan	King James' s Stairs, Shadwell	Meeting place of the "Bucks"
Burford Camper ⁴	The King of Prussia	Wapping Wall	Undertaker and future magistrate; gutted in March; opponent of Hodgson
George Caffrey ⁵	The Black Bull	New Gravel Lane, Shadwell	Undertaker and opponent of Hodgson
Thomas Wright	The Ship	New Gravel Lane, Shadwell	Undertaker and opponent of Hodgson
" "	The Duke of Cumberland	Coal Stairs, Shadwell	as above

TABLE (cont.)

<u>Name</u>	<u>Sign</u>	<u>Address</u>	<u>Role</u>
Thomas Metcalf	The Salutation Inn	Wapping Wall	Undertaker and opponent of Hodgson; inn gutted in March
⁶ Roger Wilson	The Ship	Coal Stairs, Shadwell	Undertaker and opponent of Hodgson
Robert Anderson	The Queen's Head	New Crane Stairs, Shadwell	Undertaker, opponent of Hodgson, and chief witness against the Green rioters.

Notes

- 1) The material for this table has been gathered from P.R.O., T.S. 11/443/1408, containing the Crown briefs for the trials against the rioters at Green's; G.L.C.R.O. (Mddx. Div.), A Register or Kalender of all the Innkeepers and Alehousekeepers within the Tower Division, for September 1770 and for September 1763, MR/LV/8/25; and in the same record office, The Middlesex Orders of Court, February 1763 - December 1773, MJ/OC/8, containing "The Petition of the Inhabitants of Shadwell" (19 Mar. 1768) and a copy of "Representation of the Justices for Middlesex in General Session" sent to the Lord Chancellor in September; Corp. Lond. R.O., Sessions Papers, Box for 1768; and in the same record office, Thomas Phillips, Coroner, "Informations of Witnesses," 23 April 1768; and The Proceedings for 20 May, June, and 6-13 July 1768.
- 2) Maplan was a witness against Green at his trial for murder in May.
- 3) see above, page' , note .
- 4) In 1770 Anne Camper appears in The Register ... of Innkeepers as the owner of The Ship in Pelican Stairs, but we do not know if she was related to Burford Camper at that time a magistrate in the Tower Division.

Notes (cont.)

- 5) Caffrey was a witness against the rioters at Green's although neither he nor Robert Anderson gave evidence to the Coroner.
- 6) In 1770 Wilson appears as the Keeper of The Feathers in Coal Stairs.

Lamb in New Crane, tactical directions were issued during the shoot-out at Green's. Thomas Kelly of The Star in Star Street in addition to losing his license had three indictments laid against him for "accompanying the coalheavers in their Outrages & providing them with Arms."¹ A note at the foot of the Crown brief against him stated, "Fled the Kingdom."

The names of many of the coalheavers (Kelly, Murphy, Kinshelo, Doyle, Magoury, Mahoney, McCone, Macdaniel) were Irish and this suggests another type of social solidarity among them. In 1768 the Solicitor-General estimated that two-thirds of the coalheavers were Irish.² The undertakers advertised in Ireland for labour. Often the newspapers referred to the "Irish coalheavers."³ It is not a point which historians have disputed, though it is often implied that this fact separated the coalheavers from the rest of

¹ Ibid.

² P.R.O., T.S. 11/818/2696.

³ Berrow's Worcester Journal, 2 June 1768, for example.

the labouring and English population.¹ Evidence of popular prejudice against the Irish has not come to light, if it existed at this time. On the other hand there is evidence that it was encouraged. Thus in February it was reported that in Ratcliff Highway and "that Neighbourhood" a mass house was suppressed where "a Number of poor Irish People had assembled for their Devotions."² We know that one of the ostensible causes mentioned in the undertakers' petition against Hodgson was that "though not an Irish man and a Barrister of Gray's Inn" he marched at the head of a St. Patrick's Day procession with four hundred coalheavers each of them with a "green herb in his Hat called a Shamrogge" and with "Drums beating and Colours flying

¹ By, for example, Shelton, op. cit., on pp. 170 and 179, who also holds the curious view that the Irish were more "muscular" than the English and hence more suited to the work of coalheaving. Aside from the violence that characterized the strike, contemporary commentators noted that the coalheavers frequently went around drumming up signatures for their petitions and posting notices at the wharfs, so it is somewhat surprising to find them characterized by "their illiteracy" at least without offering evidence. William Dickenson, a coal-merchant's labourer (see above, p.479), "together with some few others of his age and Neighbourhood, employed a Person, after their Day labour was over, in the long Winter Evenings, to instruct them in reading and writing."

² Berrow's Worcester Journal, 11 February 1768.

paraded the different Streets" of Shadwell.¹ The petition fails to mention that Hodgson also marched at the head of a procession of coalheavers on Saturday, 23 April, St. George's Day.² Hodgson's motives on 17 March were clearly misrepresented by the "Inhabitants of Shadwell" whose view of them has been accepted by later historians.³

The Treasurer Solicitor, alarmed by the Irish among the coalheavers, noted in his brief in a passage that has often been quoted that many of them are "of the Gang of White Boys in Ireland, driven out from thence for the most

¹ G.L.C.R.O. (Mddx. Div.), Orders of Court, MJ/OC/8, "The Petition of the Inhabitants of Shadwell," 19 May 1768.

² Ralph Hodgson, op. cit., pp. 36-7. "... when St. George's day came, on which another procession was to take place, the aspect of things had been so much altered for the worse, that it was but matter of course to refuse a second appearance at the head of the procession, since my first had availed so little towards stopping the frenzy, and brutal excesses of those people, of whose civilization I had not before despaired.

But the greater my abhorrence and pity of their madness, the greater was the necessity of my not refusing to the Publicans my best offices, and admonition for preventing, as much as possible, any farther riotous or illegal proceedings; and as of these Publicans I had no sort of reason to complain, I could not, but in common decency, accept an invitation from them on St. George's day, which I had not refused on St. Patrick's."

³ Ibid., pp. 32-5. Hodgson states his motives thus: "it was remonstrated to me by a number of Publicans, that it would much conduce to good order, and indeed to the preservation of the public tranquillity, if I would be personally present and take lead of them in the procession." Shelton says (op. cit., p. 172) that Hodgson wished to "encourage their sense of identity," and Rude (op. cit., p. 96) to "flatter their national sentiments."

Enormous Crimes" as they "have bragg'd and given it out themselves."¹ In June it was reported that a group of coalheavers "called Whiteboys robbed and ill-treated divers persons in Stepney Fields."² And in another reference to the Whiteboys, a newspaper reported in June that "Near one hundred Irish Coalheavers (called the Boys) have made their Escape."³ Whiteboys refers to members of a movement of Irish cottiers that broke out in Tipperary and Waterford in 1761 against various agrarian oppressions. In the words of an historian of eighteenth century Ireland it "struck deep root and spread silently but rapidly through many counties."⁴ Before 1770 (when it had largely ceased) it embraced thousands of members in both agrarian counties and in cities. With the considerable mobility of the Irish to England and to London in particular, it is entirely plausible to assume that the reports of Whiteboys among Shadwell coalheavers was justified; indeed in a movement at once so vast and prolonged it would be unusual if there

¹ P.R.O., T.S. 11/818/2696.

² Public Advertiser, 16 June 1768.

³ Berrow's Worcester Journal, 23 June 1768.

⁴ W.E.H. Lecky, A History of Ireland in the Eighteenth Century (1892), ii, pp. 1-41. Swearing allegiance to "Captain Right" and "Queen Sive" the Whiteboys dug up fields, tore down fences, hamstrung cattle, intercepted provisions, freed prisoners, refused to pay tithes, released apprentices, and set wages for weavers.

were not. However, the conspiratorial implications to the Treasurer Solicitor's report may be discounted. Certainly, no evidence has come to light to suggest (as a recent historian has written that "the Whiteboys ... provided the disciplined core of the [coalheavers'] organization."¹

While the exact extent of the Whiteboy's presence among the coalheavers must remain an open question, there seems to be little doubt that the attitudes of the employers were affected by fear of the Irish. In April, we know, the undertakers attempted to stop the strike by recruiting fresh labour in Dublin. By August "A Spectator" reports that while five hundred coalheavers marched behind a banner proclaiming in gold letters the hope, "Misery Redeemed from Slavery, Oppression and Want by Hodgson,"² the undertakers had decided to refuse to hire Irishmen.

The seven coalheavers convicted under the new construction placed upon the Black Act were hanged in Sun Tavern Fields in front of (as it was reported) fifty thousand spectators. The government's fears of riot at the hanging or of a rescue attempt were allayed by the

¹ Shelton, op. cit., p. 173

² Public Advertiser, 8 August 1768.

large deployment of force. Beginning at 6:00 A.M. on 26 July a contingent of three hundred guards patrolled the streets of Wapping and Shadwell.¹ The Sheriff ordered all constables of the Tower and Holborn Divisions to arm themselves with staves and assemble in Stepney for the hanging.² The men were hanged peaceably enough. Fifteen days earlier James Murphy and James Duggan were hanged at Tyburn for the murder of Beattie. According to the Murder Act of 1754 in addition to hanging they were sentenced to be dissected at Surgeons Hall.³ Anticipating a rescue attempt upon the corpses as the bodies were returned from Tyburn back to the City, the Sheriff reduced this possibility by altering the normal route. Instead of returning along Tyburn Road and High Holborn, a direct but dangerous route as it led through the Irish quarter of St. Giles-in-the-Fields, he turned "thro' Grosvenor Square, Soho, and Fleet Street to Surgeon's Hall."⁴ That night "a Number of Irish Women

¹ Ibid., 25 and 26 July 1768.

² Ibid., 27 July 1768.

³ For a discussion of this Act, see below, ~~pp.~~ chap. XIV

⁴ Westminster Journal, 16 July 1768.

assembled before Surgeon's Hall with great Exclamations mingled with Bewailing.... The Irish Howl lasted," we're told, "till near Two in the Morning."¹

The crimes of the coalheavers were more extensive and sanguinary than the two incidents that we've described might suggest. In a protracted struggle for higher wages begun during a hard winter and spurred by a great rise in the prices of food, their illegal activities ranged out from the docks and the issue of wages inland to the issue of prices.² We recall Thomas David who "did not care who they killed rather than his family should starve." During the desparate climax of their struggle in May and June the coalheavers' activities were not restricted to a tacitly regulated 'industrial' struggle: life was at stake and

¹ Berrow's Worcester Journal, 14 July 1768.

² In May and June daily reports appear in the press of the struggle. On 10, 11 and 12 May coalheavers and sailors with flags flying stopped all corn, flour, coal and wood carts (10 & 12 May Berrow's Worcester Journal). On 25 May twenty died in a battle between coalheavers and collier crews (Berrow's Worcester Journal, 2 June). 6 June two coalheavers were killed in a fray with sailors (ibid., 16 June). 9 June a mobb rescued two coalheavers from custody (9 June Public Advertiser). 11 June coalheavers killed two sailors (Berrow's Worcester Journal, 11 June). The following day the Guards killed "several" coalheavers (ibid.). 12 June seven soldiers a serjeant and "about twenty" coalheavers were killed (Public Advertiser). In July the coalheavers murdered a master wharfinger (Berrow's Worcester Journal, 14 July). Magistrates were assaulted by coalheavers in July ((Public Advertiser, 21 July). In August the coalheavers killed two soldier (Berrow's Worcester Journal, 5 August). Despite the interesting work of Dr. George Rudé and the contribution of Mr. Shelton on the disturbances of 1768 it is clear that the period awaits full study.

men were willing to die. Glimpses of that desperation are revealed in the press at the end of the "London" column where crimes are reported. In May countrymen are warned against roaming bands of coalheavers seen in Low Layton and Walthamstow "extorting money."¹ In the same month about seventy baskets of cucumbers and asparagus were stolen from a boat travelling up river.² In June a cutter sailing to London from Woolwich "with some young Gentlemen on board, was beset by two Boats full of Coalheavers who stript the Company of all Cash in their Pockets."³ "The Butchers in several Markets about Town were obliged to secrete their Meat, expecting the Sailors and Coalheavers for Plunder;" the butchers in Whitechapel suffered "prodigiously."⁴ In July three coalheavers attacked a "Gentleman" in Back Lane Ratcliff.

What are we to make of the relation between crime and the coalheavers' strike of 1768?

¹ Public Advertiser, 18 May 1768.

² Ibid., 14 May 1768.

³ Berrow's Worcester Journal, 16 June 1768.

⁴ Ibid.

Professor Radzinowicz, the historian of the eighteenth century criminal law, has briefly characterized the strike as a "violent outburst of criminality."¹ Of course this view was shared by many contemporaries. Few of the tactical actions of the coalheavers were within the law; insofar as that was true the characterization is accurate, strictly speaking. But one may distinguish those crimes committed as part of a collective struggle for a common purpose (and in this case supported, at least in its purpose, by one magistrate) from those committed by individuals for their private purposes. To distinguish crimes thus is not perhaps a legal distinction at least of eighteenth century law, but otherwise it is common enough. Looking at the struggles of 1768 from quite a different point of view to that of Prof. Radzinowicz, Dr. George Rudé has been led to find behind this difference in types of "crimes" a sociological base among the strata of the London labouring poor. On the one hand there are the "industrial" struggles of "wage earners," "sober workmen," and "respectable labourers" called "criminal" only by the perversion of class prejudice.² On the other

¹ Radzinowicz, i, pp. 55 and 425.

hand the "criminal elements," the "destitute," the "submerged," in short the "lumpenproletariat" may belong to a broad category, "the poor," but not to the more specific one of "the working class" in whose struggles they play no constructive role.¹ Neither of these positions is satisfactory: the one for casting an unqualified legal and moral opprobrium upon the subject, the other for transposing a nineteenth century categorization upon an eighteenth century subject.

To be sure there are times when we see a crowd of the labouring poor turn upon specific criminals and mete out a rough justice. Thus on 9 July when Murphy and Duggan were hanged "a pocket was detected," we learn, "just as they were turned off, and was severely ducked by the mob."² We remember that "Ben the Coalheaver" was not well regarded by his fellow coalheavers, though one may wonder how the Ordinary knew this. In any case clearly it would be mistaken to argue that all river labourers approved of all crimes. But from this it cannot follow that river criminals

¹ The theme runs through most of Dr. Rudé's work on both the London and Parisian eighteenth century poor. We cite here only a few references to it: Wilkes and Liberty (1962), p. 9-13; Paris and London in the 18th Century: Studies in Popular Protest (1970), p. 29.

² The Westminster Journal, 16 July 1768.

were a class apart from river workers. The evidence, I believe, shows otherwise. Those from river parishes hanged for felony had had a history of work in river jobs and were, in a sociological sense, of a piece with the river labourers as a whole. Accepting for a moment the omnibus category "crime" to include the 1768 strike actions, I have found it useful to distinguish three types of crime as they related to the life of the labouring poor in the eighteenth century Thames parishes. First, are those petty-pilfering crimes (undertaken often with the sanction of custom, otherwise with the sanction of generalized corruption) that were committed through the detail of the labour process and which in part accounted for what from the standpoint of capitalist development was the "backward" organization of work. Second, are those crimes committed outside of the work process and against its oppressions, but which yet were aspects of the seasonality and high turnover of labour. Third are those of the 1768 strike and which represent attempts to alter the conditions of work.

How do these forms of struggle relate to one another? Unfortunately, we may only hazard the most cautious answers to this question, for we are at the mercy of incomplete

and unsatisfactory evidence. None of the forms may be mutually exclusive, and except for the last the others may have run with only minor variations throughout the century. Nevertheless, we do not have evidence of widespread pilfering during the coalheavers' strike at the opening of the century nor during the strike of 1768. In both instances the complaints that have survived occur after the generalized outbreaks (1712-1716 and 1796-1801). Crimes of the second sort committed outside the work process against social targets (houses, merchants on the highway, etc.) appear to have been most prevalent or the magistracy was most determined to suppress them in the two years following 1750, at a time when the renewed efforts of the coalheavers to organize themselves had failed and before the next attempt had begun. There is some evidence that such types of crimes became more serious after the failure of the 1768 struggle. The Chairman of the Middlesex bench in 1772 requested that the Admiralty post guard ships between Limehouse and Ratcliff "to protect the merchant's property from thieves who have amazingly increased and are very daring upon the water."¹

¹ P.R.O., Adm. 1/4129, fo. 75.

With the conclusion of this chapter we must bring to an end our studies of crime and particular forms of exploitation. We do this in the knowledge that the Ordinary of Newgate's Accounts provide us with material that leads to many other similar such studies not all of which, however, are best approached through the detail of the labour process. At this point we must leave aside those studies and return to what was a fundamental experience to all of the eighteenth century London labouring poor and to what after all occasioned the publication of the Accounts - the Tyburn hanging.

PART FIVE:

TYBURN

"What are those golden Builders doing
Near mournful ever-weeping Paddington
Standing above that mighty Ruin
Where Satan the first victory won,

Where Albion slept beneath the Fatal Tree,
And the Druid's golden Knife
Rioted in human Gore,
In Offerings of Human Life?

They groan'd aloud on London Stone,
They groan'd aloud on Tyburn's Brook,
Albion gave his deadly groan,
And all the Atlantic Mountains shook."

William Blake,
"Jerusalem."

Chapter Thirteen:

INTRODUCTION

 "What say you then,
To times, when half the City shall break out
Full of one passion, vengeance, rage or fear,
To executions, to a Street on fire,
Mobs, riots, or rejoicings?"

William Wordsworth,
"The Prelude,"vii, 671-675.

"O yes! O yes! O yes! My Lords, the King's Justices, strictly charge and command all manner of persons to keep silence while sentence of death is passing on the prisoners at the bar, on pain of imprisonment." The court room thus silenced by the Cryer, one of the King's justices arose from his seat and regarded the prisoner directly, his view unobstructed by the nosegays placed on the bench to sweeten the air otherwise fouled by the stench of the criminal. He then spoke the terrible words,

The Law is, that thou shalt return from hence, to the Place whence thou camest, and from thence to the Place of Execution, where thou shalt hang by the Neck, till the body be dead! dead! dead! and the Lord have Mercy upon thy Soul.

The prisoner, shackled, sometimes close to expiring from gaol¹ contracted typhus, occasionally with spirit enough to damn his prosecutor and the jury, was returned to the condemned cell in Newgate there to bide the time until the next hanging took place upon the gallows some three miles west of Newgate across London at Tyburn. There he was hanged, in terrorem, testimony to the Majesty of the Law, a Dreadful and Awful Example to Others, a Sacrifice to his Country's Justice.¹

Or at least this was the hope. While terror, majesty, dread and some pity (as provided by the Ordinary of Newgate's last ministrations to the condemned) were the emotions that the State sought to arouse in the multitudes witnessing the hanging, the low slang and canting diction-

¹ The hanging sentence is quoted in [Martin Madan], Thoughts on Execution Justice with respect to our Criminal Laws, 2nd edition (1785), p. 26.

aries that have survived to record the speech of the 18th century London poor give us a different picture. In contrast to the solemn abstractions of the law the speech of the labouring poor described the hanging with irreverence, humour, and defiance. The hanging words uttered by the King's justice were "cramp words." A hanging day was a "hanging match," a "collar day," the "Sheriff's Ball," a "hanging fair," or the "Paddington Fair." To hang, like a dance, was "to swing," to "dance the Paddington frisk," "to morris." To be hanged, like getting married or making love, was "to kiss the maid" or to be "nooz'd." It was "to go west," "to ride up Holborn hill," "to dangle in the Sheriff's picture frames," "to cry cockles." After a trap door in the scaffold was introduced to replace the horse and cart which formerly had drawn away the support beneath the felon's feet, to hang was "to go up the ladder to rest;" it was "to go off with the fall of a leaf." To be hanged was to be jammed, frummagemmed, collared, scragged, twisted, nubbed, backed, stretched, trined, cheated, crapped, tucked up or turned off. Awe, majesty, and dread were riddled to their proper meaning, death by hanging. What was to dance at Beilby's Hall where the Sheriff plays the music? What was to ride a horse foaled by an acorn? It was to hang. Such a death was not pretty. Hanging was to have a wry mouth and a pissen pair breeches; it was to loll out one's tongue at the company. A man hanged

will piss when he can't whistle.¹

The engine as much as the fact of the State's ultimate power became the theme of scores of proverbs, riddles, words and descriptions bearing evidence to the facts that London, as an older historian put it, was a "city of the gallows," and that its people both recognized this and accommodated themselves to it, but upon their own terms.² The scaffold consisted of three posts, ten or twelve feet high, held apart by three connecting cross bars. It stood at Tyburn from the early Tudor period until 1783 when a new scaffold was constructed in Newgate. Tyburn was Saint Tyburn, the three legged mare, the three legged stool. As it bore fruit the whole year round it was the deadly evergreen. It was the trining cheat, the topping cheat, the nubbing cheat, the cramping cheat, or simply, the cheat.

Death by hanging, like most kinds of death in the eighteenth century, was public. Not isolated from the community or concealed as an embarrassment to it, the execution of the death sentence was made known to every part of the metropolis and the surrounding villages: on the morn-

¹ The most comprehensive 18th century canting dictionaries are Anon., A New Canting Dictionary (1725) and Francis Grose, A Classical Dictionary of the Vulgar Tongue (1785), but see also George Parker, A View of Society and Manners in High and Low Life, vol. ii (1781), and Charles Hitchin, The Regulator (1718). Eric Partridge's private edition of Grose's dictionary notes more than a hundred different cant denominations for the gallows. Only the number of names for money exceeded that for the gallows.

² Alexander Andrews, "The Eighteenth Century; Or Illustrations of the Manners and Customs of our Grandfathers," The New Monthly Magazine, 105 (1855), p. 370.

ing of a hanging day the bells of the churches of London were rung buffeted. The crys of hawkers selling ballads and "Last Dying Speeches" filled the streets. The last preparations for death in the chapel at Newgate were open to those able to pay the gaoler his fee. The malefactor's chains were struck off in the press yard in front of friends and relations, the curious, the gaping, and onlookers at the prison gate. The route of the hanging procession crossed the busiest axis of the town at Smithfield, passed through one of the most heavily populated districts in St. Giles's and St. Andrew's, Holborn, and followed the most trafficked road, Tyburn Road, to the gallows. There the assembled people on foot, upon horseback, in coaches, crowding nearby houses, filling the adjoining roads, climbing lamp posts, sitting on the wall enclosing Hyde Park and standing in its contiguous cow pastures gathered to witness the hanging. By the 18th century this crowd had become so unruly that the 'hanging match' became well-known to foreign visitors and English alike as both a principle attraction of the town a periodic occasion of disturbance.¹

The efficacy of public punishment depends upon a rough agreement

¹ Anon., The Foreigner's Guide; Or, A Necessary and Instructive Companion Both for the Foreigner and Native in their Tour through the Cities of London and Westminster (1729), p. 108, offered an English and parallel French text to recommend to the tourist visits to St. Paul's, the Bank and Exchange, St. James's Palace, Westminster Hall, and Tyburn on a hanging day (though at Tyburn "you ought always to be on your Guard."), as if in these five institutions of Religion, Trade, Royalty, Law, and Punishment the touring visitor would see the pillars of England's wealth and power.

between those who wield the law and those ruled by it. Whipping, ducking, the pillory, like public hangings depended upon the public infliction of ignominy, execration and shame. As hangings were attended with disruptions, threatened rescues, disorders, brawls, and riot, by the eighteenth century order at them rested less upon community consensus in the justice of the sentence or in the manner of its execution than by the force of arms and the spectacular terror in the panoply of a State hanging. The fracture in conceptions of justice did not heal. In 1783 it was more firmly separated and the dangers to the body politic of this rupture reduced by the removal of the site of execution to the safer confines of the prison walls in Newgate. Hangings were still public but, in the abolition of the procession to the gallows, a step had been taken towards privately inflicted punishment and a major source of disorder at hangings had been removed.¹

"All grandeur, all power, all subordination rests on the executioner: he is the horror and the bond of human association. Remove this incomprehensible agent from the world, and at that very moment order gives way to chaos, thrones topple, and society disappears." so wrote de Maistre at the end of the eighteenth century.² While this conception of State power clearly became obsolete in the conditions of nineteenth century England, very few of those concerned with grandeur, power, and

¹ James Heath, Eighteenth Century Penal Policy (1963), develops this theme.

² Joseph de Maistre, Works, ed. and trans. by Jack Lively (1965), p. 192.

subordination in eighteenth century England would have found in this formulation anything to disagree with.

In the two centuries preceding 1783 both common malefactors, the enemies of civil society, and traitors or opponents of the State found their end~~ing~~ at Tyburn, which as a result became the resting place of the defeated, the disaffected and victims. In the early seventeenth century there is evidence that Tyburn was regarded among Roman Catholics as a Holy Place. In 1613 five women were committed to gaol for "going a pilgrimage to Tyburne."¹ The twelve Catholic priests hanged at Tyburn under the informations of Titus Oates between 1678 and 1681 subsequently became beatified.² At the Restoration the bodies of Cromwell, Ireton and Bradshaw were exhumed at Westminster, taken to the Red Lion Inn in Holborn, and drawn on sledges to be hung on the gallows at Tyburn, and then dumped into anonymous graves.³

¹ W.J. Hardy (ed.), Middlesex Gaol Delivery Registers. Calendar., i, 217d.

² Rev. Gordon Taylor, Saint Giles-in-the-Fields, Its Part in History, (1971), p. 8

³ Popular superstition somewhat assuaged this humiliation by reporting that Cromwell had never been buried at Westminster, but lay beneath the fields of his decisive victory in Naseby. Charles I was buried in Westminster, it was thought, and given the humiliating treatment of exhumation and hanging at Tyburn. Indeed, there were some who reported that they observed a seam on the neck of the body as it was drawn along High Holborn; this obviously indicated where the King's head was rejoined to his body after decollation. See, Alfred Marks, Tyburn Tree, Its History and Annals (1908), p. 192; and Anon., The Story of St. Giles-in-the-Fields Parish Church, London (n.d.), p. 22.

In the eighteenth century neither its associations with political opposition, Jacobite, Catholic, Republican, nor its more frequent use were responsible for the disorders at Tyburn which came more often from the common London poor at the hangings of common London criminals. The disorders and chaos at hangings were a matter of grave concern.

Defoe recommended solitary confinement of the condemned in the days before hanging, no drink, no visitors, no light, and the simplest food. Spain and Portugal had fewer thieves, he thought, because the condemned were forced to dress like the inhabitants of the "infernal regions" at their hangings.¹ Bernard Mandeville writing three years earlier was similarly distressed by the conditions of the procession and the arrangements at the actual hanging:

The whole March, with every Incident of it, seems to be contrived on Purpose, to take off and divert and Thoughts of the Condemned from the only Thing that should employ them. Thousands are pressing to mind the Looks of them. Their quondam Companions more eager than others, break through all Obstacles to take Leave: And here you may see young Villains, that are proud of being so, (if they knew any of the Malefactors) tear the Cloaths off their Backs, by squeezing and creeping thro' the Legs of Men and Horses, to shake Hands with him; and not to lose before so much Company, the Reputation there is in having had such a valuable Acquaintance. It is incredible what a Scene of Confusion all this often makes, which yet grows worse near the Gallows; and the violent Effects of the most sturdy and resolute of the Mob on one side, and the potent Endeavours of rugged Goalers, and others,

¹ [Daniel Defoe], "A Converted Thief," Street Robberies Considered (1728), pp. 52-54.

to beat them off, on the other; the terrible Blows that are struck, the Heads that are broke, the Pieces of swingeing Sticks, and Blood, that fly about, the Men that are knock'd down and trampled upon, are beyond Imagination; whilst the Dissonance of Vocies, and the Variety of Outcries, for different Reasons, that are Heard there, together with the Sound of more distant Noises, make up a Discord not to be parallel'd. (1)

"... the Notions which the Vulgar have of Courage, as well as Honour and Shame, are full of dangerous Errors."² This Mandeville thought was of the utmost importance to correct, if grandeur, power and subordination were to be maintained at hangings. He advocated a severe regimen in solitary confinement before hangings, a greater contingent of municipal and military authority in the procession and at Tyburn, and fine mounts and studiously calculated magnificence in the uniforms of the officers to replace their "scrubby horses" and "mean Equipages."

Henry Fielding, Chairman of the Middlesex Quarter Sessions, devoted a chapter of his An Enquiry into the Causes of the Late Increase of Robbers &c. to "the Manner of Execution," for this too was a cause of the late increase of Robbers:

No Hero sees Death as the Alternative which may attend his Undertaking with less Terror nor meets it in the Field with more imaginary Glory. Pride, which is commonly the uppermost Passion in both, is in both treated with equal Satisfaction. The Day appointed by Law for the Thief's Shame is the Day of Glory in his own Opinion. His Procession to Tyburn, and his last Moments there, are all triumphant; attended

¹ Bernard Mandeville, An Enquiry into the Causes of the Frequent Executions at Tyburn (1725), pp. 23-24.

² Ibid., p. 29.

with Compassion of the meek and tender-hearted, and with the Applause, Admiration and Envy of all the bold and hardened. His Behaviour in his present Condition, not the Crimes, how atrocious soever, which brought him to it, are the Subject of Contemplation. (1)

The evil could only be removed he argued by reducing the delay between sentence and execution of punishment, by removing hangings from public~~d~~ view ("A Murder behind the Scenes, if the Poet knows how to manage it, will affect the Audience with greater Terror than if it was acted before their Eyes."), and finally by approximating the "Incredibly solemn" executions attained in Holland. "It is not the Essence of the Thing itself, but the Dress and Apparatus of it, which make an Impression on the Mind, especially on the Minds of the Multitude to whom Beauty in Rags is never a desirable, nor Deformity in Embroidery a disagreeable Object."² In 1781 George Parker favourably contrasted the French method of executing the death sentence to that at Tyburn: "An execution in France is attended with all imaginable solemnity; no giving the unhappy object of punishment drink, no crying out, 'Die like a cock,' nor those kind of expressions too commonly used among the vulgar in England, nor any of those comments which we hear after our Tyburn executions of 'He died hard,' and was 'bold as brass.'"³

¹ 2nd edition, (1751), p. 189.

² Ibid., p. 194.

³ A View of Society and Manners in High and Low Life (1781), ii, chapter 5, passim.

Hardly a reference to Tyburn hangings in the eighteenth century fails at the same time criticize it. "Whatever is the Reasons, it is certain, these mournful and melancholy Scenes, [have] very little or no Effect upon the Morals of the People" who were affected with "Compassion, Simpathy, and Pity" for the criminal. The crowd honoured whom the law condemned.¹

In the 1820's Francis Place composed his autobiography and filled several notebooks of denunciations against the "grossness" of the former age. The public's support of the condemned, the felon's behaviour, the atmosphere of a fair-time, and the ineffectuality to deter criminals are indiscriminately mixed together in a sustained and curiously embittered attack upon Tyburn hangings. "No solemn procession it was just the contrary it was a low lived, black-guard merry-making." "There is plenty of evidence which proves that [Tyburn hangings] have always increased the number of criminals." In a judgement often accepted without criticism, he wrote of the people at the hangings: "the whole vagabond population of London, all the thieves, and all the prostitutes, all those who were evil-minded, and some, a comparatively few curious people made up the mob on those brutalizing occasions." And again,

When one reflects on the scene of a public execution at Tyburn, it is impossible not to view it as a most disgraceful and scandalous proceeding. An immense mob of the worst people the town contained, called together, not to take a lesson of morality, not to be

¹ Anon., A Complete History of James Maclean (n.d.), pp. 2-3.

deterred from the commission of crimes, but to enjoy themselves, to have a holiday, to attend a fair, to enjoy the [prospect] of a fellow dying game, to be disappointed, and vexed, if he did not die game, which men about to be hanged who had himself often gone there to witness the conduct of others to applaud or execrate the criminal, not from pity, or destation of the man for the crimes he had committed but for the manner in which he met death, the criminal knowing how the vile mob felt endeavoured to put on a false bravery to meet their infatuations, and set an example by which others might be induced in incurr the risk of the punishment he was undergoing, the applause he received being as he well knew a great excitement thereto. (1)

Another early nineteenth century memoir gives us a different picture.

John Thomas Smith was taken to the hanging of Jack Rann, "Sixteen-String Jack," by Mr. Nollekens who led him home after the procession had passed. "I recollect his stooping down to me, and observing, in a low tone of voice, 'Tom, now, my little man, if my father-in-law, Mr. Justice Welch, had been High Constable, we could have walked by the side of the cart all the way to Tyburn.'"² Indeed Smith remembered seeing Justice Welch "as High Constable of Westminster, dressed in black, with a large, nine-story George the Second's wig, highly-powdered, with long flowing curls over his shoulders, a high three-cornered hat, and his black baton tipped with silver at either end, riding on a white horse to Tyburn with the malefactors." There is none of Place's

¹ Brit. Mus. Add. MSS. 27, 826. fol. 107 Add. MSS. 27, 825. fol. 58 In the frequency and violence of these denunciations we see a man desperately trying to shake off his past.

² John Thomas Smith, Nollekens and his Times (1829), i. 23, 113-114.

passioned and embittered denunciation here, if anything we should conclude that the panoply of hanging succeeded in its object, at least in the wide eyes of this young boy. "Theft, House-breaking and Murther are not to be prevented by the Scarlet Gowns of the Aldermen, the Gold Chains of the Sheriffs, the fine Trappings of their Horses, or any gawdy Shew whatever: Those pageant Ornaments are beneifical another way; they are eloquent Lectures to 'Prentices, and the use of them is to animate not to deter...." so wrote Mandeville in 1714.¹

"If my Lord Mayor had nothing to defend himself but his great two handed Sword, the huge Cap of Maintenance, and his gilded Mace, he would soon be strip'd in the very Streets of the City of all his finery in his stately Coach."² Young children might be dazzled by a nine-storey, George the Second wig, but effective inhibition of violence at Tyburn hangings had to be imposed by something more convincing than the accoutrements and baubles of office. The two Sheriffs of London and Middlesex, their Undersheriffs, deputies, officers of the prisons they controlled, and the headboroughs, high and petty constables of Middlesex were in theory responsible for maintaining order at hangings. By the fourth decade of the century it became clear that the county and City forces were not competent to the job, and the Court of Aldermen had to remind them of their full responsibilities. Thus in 1735,

¹ Bernard Mandeville, The Fable of the Bees, ed. Phillip Harth (1970) p. 184.

² Ibid.

This Court doth desire the Sheriffs to Give Directions to their Undersheriffs of Middlesex that for the future He cause a sufficient Number of the Middlesex Officers to Attend the Prisoners with the Officiars of London from Newgate to Tyburn at every Execution. (1)

Again in 1744 the Court directed the Sheriffs

to provide such Weapons as they shall think necessary for the Serjeants & Yeomen of the Compters attending the Execution of Prisoners at Tyburn, and to Cause them to be desposited in some safe place for the said Officers on those occasions... (2)

After this order we learn that the felons were "guarded by the Sheriffs Officers with their new Broad Swords," nevertheless, when the procession came to Holborn Bars it was met "by a large Party of the Foot Guards ... who escorted them to the Place of Execution."³ We shall see below that not infrequently troops from the Savoy or the Tilt Yard accompanied the civil officers to the hanging.

Seldom is mention of the spectacle of public hangings at Tyburn omitted in studies of eighteenth century London. Poorly controlled by the authorities, the site of terrific mass emotion, the occasion for disorder, and the supreme moment of State power, contemporary tourists and subsequent historians have been drawn thither by what Boswell called

¹ Lond. Corp. R.O., Repertories, vol. 139, fols. 264-5 (15 July 1735).

² Ibid., vol. 149, fo. 311 (4 June 1744).

³ The Ordinary's Account, 5 October 1744.

a "horrid eagerness."¹ As a symbol of all that was bestial, violent and brutal in eighteenth century society, "the brutal spectacle of the public hanging," like those other pat phrases, "the harshness of the criminal code" or the "love of aggression of the London mob," has entered the ranks of the historical cliché. We might be content to let it lie there were it not for the fact that amidst all the outcry, denunciations, and arguments for reform nowhere are we told exactly why in year after year (and sometimes there were eight hanging days in a year) they were disrupted by brawls, disorders and tumults. The three mile procession through the metropolis from Newgate gaol to the gallows and the rather maladroit rituals of State hanging performed before sometimes thousands of people not only caused inconveniences to the commerical traffic into London, or nuisance to the Whig and Tory building speculators laying out the Augustan squares of the West End, the hangings presented an increasingly intolerable irritation to the order of the City and the dignity of the Law.

The surgeons and physicians, their beadles and porters, were the most common targets in these disorders. By the beginning of the 18th century at the gallows standing at the conjunction of the Tyburn and Edgware roads, we find that the history of the London poor and the history of English science intersect.

¹ James Boswell, London Journal 1762-3, ed. F.A. Pottle (1950), pp. 251-2. He saw Paul Lewis hanged before "a most prodigious crowd of spectators. I was not terribly shocked, and thrown into a very deep melancholy."

The law passed judgement in sable garments and executed sentence with the red towel of the dissecting room. A main cause of disturbances at hanging days lay in the relations between the judges sitting at the Old Bailey and the physicians and surgeons around the corner in Warwick Lane and Cripplegate. On the other hand, it appears as though a precondition of progress in anatomy depended upon the ability of the surgeons to snatch the bodies of those hanged at Tyburn.¹

¹ Advances in one branch of medicine, anatomy, depended as much upon eighteenth century penal practises as they did upon the idealist transmission of knowledge. One historian ascribes the medical "revolution" of the early eighteenth century to the scientific "revolution" of the late seventeenth century, itself the product of the philosophical "revolution" of the early seventeenth century. See Peter Gay, The Enlightenment: An Interpretation, vol. ii, The Science of Freedom (New York 1969), pp. 12-13.

Chapter Fourteen:

ANATOMY AND DISSECTION IN THE EIGHTEENTH CENTURY

"... knowledge, instead of remaining the handmaid of labour in the hand of the labourer to increase his productive powers ... has almost everywhere arrayed itself against labour."

William Thompson,
An Inquiry into the Principles of the Distribution of
Wealth (1824).

In London three medical institutions taught anatomy to their physicians and surgeons and therefore required corpses to dissect. They were the Royal College of Physicians, the Company of Barber-Surgeons, and the private hospitals. The Royal College of Physicians by letters patent granted by Queen Elizabeth I and renewed by Charles II were allowed "the Bodies of One or Six Persons condemned to Death within London, Middlesex, or Surrey, for anatomical Dissection...."¹ By a Royal grant of 1540 the Company of Barber-Surgeons were permitted the bodies of four executed felons each year for the purposes of dissection.² This Company held four public lectures a year, each lasting three days during which time the corpses were dissected. Lectures concluded not with the publication of analysis of new findings but with a feast whose

¹ Petition of the President of the Royal College of Physicians, 5 February 1723/24. Journals of the House of Commons, XX, p. 253.

² Sidney Young, The Annals of the Barber-Surgeons of London (1890). The grant accompanied the Act incorporating the Company. In December 1561 several "were hanged at Tyborne, and on off them the sur[geons took] for a notyme in to ther halle." See John G. Nichols (ed.), The Diary of Henry Machyn 1550-1563, Camden Society (1848), p. 273. A Charter of Charles I (1636) allowed the Tomlin's Reader in Anatomy at Oxford the body of any person executed within twenty-one miles round Oxford. In 1624 when the Chair was founded the first anatomy lecture of eacy year was to follow the Lent Assizes. No dissections were held in the summer, and during Michaelmas lectures on the skeleton of the previous spring's corpse were delivered. H.M. Sinclair and A.H.T. Robb-Smith, A Short History of Anatomical Teaching in Oxford (Oxford, 1950), pp. 11-12.

cost was the largest single item in the Company's budget.¹ The main achievements in 18th century English anatomy were made elsewhere. Advances in the understanding of morphology, pathology and thereapeutics developed out of the empirical analysis of human bodies. These advances occurred in the private hospitals which had neither statutory nor Royal title to corpses.²

In the eighteenth century, "one factor above all others ... characterized British anatomy ..., the emphasis on teaching."³ The teaching schools, both those that were private and those connected with hospitals, introduced the Dutch system of teaching anatomy which required that students learn by clinical experience. The Barber-Surgeons and the Physicians taught by disputation and demonstration. William Hunter, the most important anatomist of eighteenth century Britain, recalled his schooling at Guy's hospital during the 1730's:

I attended, as diligently as the generality of students do, one of the most reputable courses of anatomy in Europe. That I learned a good deal by my ears, but almost nothing by my eyes; and therefore hardly anything to the purpose. The defect was that the professor was obliged to demonstrate all the parts of the body upon one dead body.

¹ Guildhall Library. The Barber-Surgeons Company. Audit Book, 1715-1785. MSS. 5255, vol. iii.

² N. Goodman, "The Supply of Bodies for Dissection: A Historical Review," Arris and Gale Lecture (1944), MS. at the Royal College of Surgeons.

³ K.F. Russell, British Anatomy 1525-1800: A Bibliography (1963), pp. 17-18. "Modern anatomy in Britain ... rests solidly on the foundation of the patient dissection of eighteenth century anatomists."

Again, "the anatomical lectures are every day from one o'clock until three. All the pupils that enter for the anatomical lectures pay seven guineas; if they chuse to dissect and attend the dissecting room they pay five guineas extraordinary."¹ Pedagogical innovation and advances in anatomical knowledge were made despite the monopolies accorded to the Physicians and the Barber-Surgeons. At the beginning of the century the doctors at St. Thomas's, St. Bartholomew's, and St. George's hospitals began to instruct their own students and conduct their own dissections. The foundation of other hospitals, Westminster (1719), London (1740), and Middlesex (1745), caused an increase in the teaching of anatomy and led to an increased demand for corpses.² The demand for cadavers exceeded the supply allowed by the original Tudor grants, grants which also specified to the Barber-Surgeons and the Physicians a monopoly of medical teaching. By the 18th century the government had no interest in supporting the corporate exclusiveness of either the surgeons or the physicians. The Admiralty supported the foundation of private hos-

¹ Samuel Wilks & G. T. Bettany, A Biographical History of Guy's Hospital (1892), pp. 87-88 and 93. The legal dissections were not exclusive.

"Yesterday they began to dissect one of the Malefactors executed a Tyburn at the College of Physicians in Warwick Lane." It lasted three days and most of the physicians and surgeons of London and Westminster were present. Applebee's Weekly Journal, 29 October 1720. By the same token members of the College of Physicians and the Barber-Surgeons Company attended private lectures. Sinclair & Robb-Smith, op. cit.

² Charles Singer & S. W. F. Holloway, "Early Medical Education in England," Medical History, IV (January 1960).

pitals. Teaching schools remained closely connected to the Navy and associated with its "manning problem."¹

By the middle of the 1740's empirical experience in the dissection of corpses had become orthodox practise in surgical training. A guide to trades and professions described the surgeon in terms which a generation earlier would have been unthinkable in such a book.

The young Surgeon must be an accurate Anatomist, not only a speculative but a practical Anatomist; without which he must turn out a mere Bungler. It is not sufficient for him to attend Anatomical Lectures, and see two or three Subjects cursorily dissected; but he must put his Hand to it himself, and be able to dissect every Part, with the same Accuracy that the Professor performs. Formerly, for this useful Brnach, Students were obliged to go to Leyden, especially while Boerhaave lived, who was an Ornament to his Profession, and without Controversy, the best Anatomist of the Age.... (2)

At the time that this was written two events had taken place which altered the organization of medical teaching and practise. First, in 1745, the barbers and surgeons split to form two companies.³ Second, in the same year, the legal prohibition on the private instruction of anatomy was removed. The study and teaching of anatomy left its Mercantilist phase, so

¹ Christopher Lloyd and Jack L.S. Coulter, Medicine and the Navy, Vol. iii (1961) and Daniel A. Baugh, British Naval Administration in the Age of Walpole (1965) provide material regarding the relation of the Navy to the foundation of new hospitals. See also, H.C.S. Booth, "Peeps at the Past," Royal Naval Medical Service Journal, xx, 3 (July 1934).

² R.S. Campbell, The London Tradesman, (1747), p. 50.

³ Cecil Wall, The History of the Surgeon's Company, 1745-1800 (1937).

to speak, and entered the period of Laissez Faire.

The new institutions and the new methods of teaching required a considerable number more corpses than the law allowed. How were they obtained? The evidence suggest three main methods.

First, the private surgeons or their agents sought to buy the corpses of condemned felons by negotiating with them before they were hanged. Surgeons loitered about Newgate on the morning of 25 April 1733 looking for likely prospects.¹ In 1747 John Wilkins, a veteran of Fontenoy without friends or relations, enquired "after a Surgeon to purchase his Body" so that he might be able to pay his prison expenses between the day sentence was passed and his hanging.² William Signal and his fellow prisoners were to be hanged 13 July 1752. He had no money and "would send for some Surgeons to give them Money for their Bodies, for G-d, they were resolved to dies game."³ John Hill was hanged in December 1744 for stealing a hat and a wig:

After Prayers was over, Hill as he was going out of Chapel, ask'd a Gentlemen, why he look'd at him, do you know me? No, Friend, replied the Gentleman. I suppose, says Hill, you are some Surgeon, and if I had a Knife in my Hand, I would slit you down the Nose. (4)

¹ Select Trials, vi, p. 63. The London Journal, 28 April 1733.

² The Ordinary's Account, 21 January 1746/47.

³ Ibid., 13 July 1752.

⁴ Ibid., 24 December 1744.

Sometimes this method of obtaining bodies took on the appearance of a hunt. In May 1732 Thomas Beck with three or four others jumped a surgeon in Virginia Street and robbed him of his hat, valued at four shillings and his wig at ten shillings. An Excise man heard the surgeon's cry and ran to apprehend Beck. The others escaped. The surgeon prosecuted the case despite receiving the following letter from those comrades of Beck who had escaped:

Our Friend is now starving in Prison but when he gets out we shal take an oportuniti for revenge but if you ar favourable in your Evidence you may save his life and then we shal be willin to forgive you but if he dyes the Devil fly away with us soul and body if we do not shoot you and for the Eksize man that stopt him we will steal his head of before he is much older which you may tell him but if you are favourable you will prevent any mischief from coming to you both. By God this is the resolution of (1)

Mr. Harris, the surgeon and the prosecutor, was not deterred by this anonymous threat. He wanted to hang Beck because at an earlier trial he had heard Beck insult a Church parson by comparing that black robed figure to a coal-heaver. Beck assigned his motives as follows:

Prisoner. Did you not say before the Justice that you would Hang me if it cost a hundred Pounds, because you would have me for an Anatomy?

Prosecutor. No.

Justice Philips. I believe I can set that Matter to rights. When the Prisoner was before me, Mr. Harris did indeed say, that he would endeavour to get his Body for an Anatomy, because he had made himself so remarkable, by bestowing the Name of Small-

¹ The Ordinary of Newgate's Account, 22 May 1732.

coal Men upon the Parsons. (1)

In the event, Beck was hanged but not anatomized.

In 1725 A New Canting Dictionary recorded what it considered one of the best "Bites we have heard of in Modern Times, that of a late Criminal, Holloway." It shows "his harden'd Boldness and Villainy, even in the very last Article of his Life."

This Fellow having been condemn'd to Death for many enormous Villaines; the Day before his Execution, sent for a Surgeon, to whom he offer'd to sell his Corps for Dissection. The Surgeon offered him a certain Sum, which the Criminal insisted was not enough for so sound and vigorous a Body as his. See here, said he, are Limbs! here are Muscles! and stripping open his Bosom, Here's a Chest, says he, so plump, so white, as will rise to your Knife, and do Credit to your Art! Don't this deserve 10s. more than a common Corps? Hereupon the Surgeon agreeing to his Price, and paying the Sum insisted upon, the harden'd Villain, bursting into a loud Laugh at him, cry'd out, A Bite! A Bite! by G--! I am to be hang'd in Chains to Morrow; and so laugh'd the astonish'd Surgeon out of the Prison.

Second, the private surgeons obtained bodies through a private trade organized by grave diggers. That such a considerable trade existed is suggested by the fact that when Lavater came to Oxford to lecture in 1710 he was able to plan to get a regular supply of cadavers from agents in London.² The parish officers of the Savoy returned a body to the surgeons

¹ The Proceedings, 19-22 April 1732. Beck did not invent this particular canting word; it had been used at a trial a year earlier in February 1731/32. See also John Villette, The Annals of Newgate, II (1776).

² Thomas Hearne, Remarks and Collections 1705-1735, vol. viii, p. 156, Oxford Historical Society (1884-1918).

which they had lost in a scuffle with the Tyburn mob the previous day.

The mob incorrectly thought that simply by putting the body in a burial ground that the grave digger as a matter of course would bury it.¹

During the same year, 1723, "several People assembled in a riotous manner in St. Giles Church-Yard upon the Reasons they had to suspect some inhuman Practises with regard to dead Bodies, which it seems were no sooner interr'd than dug up and sold to Anatomists."² The magistracy had to read the Riot Act against these "several People." In 1723 a grave robber and body snatcher of Southwark was punished by whipping at Guildford Assizes.³

In April 1736 Thomas Jenkins, the grave digger of St. Dunstan, Stepney, "took out of a Coffin the Corps of a Man which he carried to Palmall Court in Palmall in the Parish of St. James Westm. and that one John Brown (who is Servant to Mr. Cesar Hawkins a Surgeon...) hired him to bring the Said Corps to his Said Master's house, and told him he should be Satisfied for his Trouble, which he accordingly did...." The watch took him up, he was indicted with two others, and bail was paid by an apothecary and Hawkins, the surgeon.⁴ At the Sessions of

¹ The Worcester Journal, 9 November 1723.

² The British Journal, 9 February 1722/3.

³ Anon., A Genuine Narrative of the Sacrilegious Impiety of John Lamb, the Sexton, and William Bilby, the Grave-Digger of St. Andrew's, Holborn (1747), p. 6.

⁴ G.L.C.R.O. (Mddx. Div.), Sessions Papers, MJ/SP/58, "Confession of Thomas Jenkins, 9 April 1736. See also, Calendar of Indictment, MJ/SBB/934/66 (3 May 1736).

Peace and Oyer and Terminer a month later, he was found guilty of "offending against the Peace of our Said Lord the King his Crown & Dignity." He was fined twelve pence and sentenced "to be publicly whipt from the three Cranes in Stepney round Stepney Church yard and the houses contiguous thereto."¹ In this case the

Sentence was executed upon him very severely by John Hooper, the then common Executioner; and on the Day appointed for him to be whipped; there was perhaps, the greatest Concourse of People that ever was known. A Mob of Sailors and Chimney Sweepers rendezvous'd in Stepney Church-yard, and when [the] poor Culprit was ty'd to the Cart, they led the Horses so slow, that he received some Hundreds of Lashes, the Hangman being encouraged by the Mob (who gave him a good deal of Money) not to favour the Delinquent, but to do his Duty.... (2)

A surgeon's apprentice was also taken into custody in this affair, but the case was dropped at the Middlesex Sessions of the Peace at Hick's Hall. Surgeons and their apprentices were not to be made to submit to the justice of sailors and chimney sweepers.

In 1767 Joseph Pickett signed a confession before the Middlesex magistracy, "that he together with several other persons named William Chomley, Joseph Hoare, William Francis, Joseph Sims, John Farquson otherwise Forkey have at sundry times stolen dead bodies from Burying Grounds... All which Bodies were afterwards sold and the Monies

¹ G.L.C.R.O. (Mddx. Div.), Sessions Rolls, MJ/SR/2654 (3 May 1736).

² Anon., A Genuine Narrative of the Sacrilegious Impiety of John Lamb, the Sexton, and William Bilby, the Grave-Digger of St. Andrew's, Holborn (1747), p. 6.

divided between the Parties."¹ Thomas Gent, the printer, remembers setting type of an account of a trial "of a wretched sexton ... for stealing dead bodies out of their graves, and selling them .. to those fleaing rascals, the surgeons."²

Third, the private surgeons obtained bodies by taking them at Tyburn. Elizabeth Fox, hanged 18 March 1740/41 for a small theft ("being one of the most scandalous Creatures, and notorious Pickpocket in Town"), had her body carried away by surgeons to St. Thomas's Hospital.³ Isaac Mortished, a Cheshire tailor doing journey work in London, was hanged in 1738 for stealing a hundred pound bond from the Society of Pewterers. A private surgeon took his body, but the "rabble Assaulted the House, took away the Body, insolently carry'd it over the Bridge, offer'd it to Sale at St. Thomas's Hospital, but not being bid

¹ G.L.C.R.O. (Mddx. Div.), Sessions Papers, MJ/SP/13, June 1767. An Anonymous pamphlet of 1732, The Tricks of the Town: Or, Ways and Means of Getting Money, burlesqued the practise: "That Figure which the Sextons of Parishes has made in the World of late Years, is an Evident Token of the flourishing State of the Worshipful Corporation of Corps-stealers. There seldom passes a Night, but we hear of some Defunct Plebeian eloping out of one Church-yard or other; nor are those of better-Blood more secure for all their Bolts and Barricadoes. This felonious Commodity, I am told, is sold by weight, and that the Purchasers generally consider and weigh well what they are about, before they strike a Bargain. The Corpse of a plain Milk-Maid is said to fetch at least 7d. in the Pound more than that of a Countess; and, notwithstanding the highest feeding and fattening, a Common Joiner's has had vastly the preference of a Major General's in the Market."

² Thomas Gent. The Life of Mr. Thomas Gent, Printer of York (1832), p. 103.

³ The Daily Post, 19 March 1740/41, and The Ordinary's Account, 19 March 1740/41.

Money enough for it they smear'd the Carcase with Pitch and buried it in St. George's Fields."¹ Beneath the gallows tree the private surgeons entered competition for bodies with the Physicians and Barber-Surgeons and the records kept by these institutions permit us to reconstruct the seriousness and frequency of affrays at Tyburn.

The Royal College of Physicians and the Barber-Surgeons Company enjoyed ancient royal authority to take a number of bodies from Tyburn each year. They did not have to resort to grave robbing or illegal body snatching. Nevertheless they went through considerable expense to execute their authority against the private surgeons and the friends of the condemned.

In 1694 it cost the beadle of the Royal College more than thirteen shillings to get a body at Tyburn, twelve shillings to pay two men to help carry it away in a coach, six shillings for the coach, and another four shillings of miscellaneous expenses, thirty-five shillings all told.² Twenty years later it cost the College twenty shillings just to pay the Sheriff to sign the warrant granting the College the body of the hanged felon.³ The College found that if it didn't pay the Sheriffs' officers enough, the private hospitals would pay more and take possession of the bodies. In 1720 the President of the College "acquainted the College with

¹ The Ordinary's Account, 8 March 1737/38, and Reade's Weekly Journal 11 March 1737/38. See, for another similar case, The Remembrancer, 22 April 1749.

² R.C.P., MSS. Box 4, Envelop 45a.

³ R.C.P., Annals, vii (1710-1721), p. 233.

the difficulty of getting bodies from the gallows for publick dissection" and ordered a petition be drawn up to Parliament. After reviewing the Letters Patent of 7 Elizabeth and 15 Charles II, the petition went on to complain

the felons and other Malefactors condemned to be executed in and about this City through the dread & fear which they generally have from an apprehension of their body's being dissected after their execution do very often prevail on their Confederates & other disorderly people to take & carry away the executed bodys in defiance of all legal authority in a forcible & violent manner whereby great dangers & mishcief frequently happen to the persons who attend to have & take an executed body for your petitioners & the Sheriff's Officers who attend such executions sometimes pretent that they are not obliged or at least not able to assist your petitioners therein By which means your petitioners are deprived of the priviliges granted them by the said Royal Charters & prevented from having such bodys for the publick use aforesaid and Malefactors are in some measure encouraged by assurance of having their bodys rescues from a dissection which to some renders the Sentence of the Laws more terrible. (1)

In June 1723 the President proposed to the College that it attempt to obtain an Act of Parliament "for securing executed Bodys."² In July their petition was renewed; in December a draft bill was prepared; and in February 1723/4 the bill entered the House of Commons.³ In the petition that accompanied it, the Physicians struck out the passage of their earlier petition which referred to making the "Laws more terrible"

¹ R.C.P., Box, Envelop 179, "Petition to the House of Commons."

² R.C.P., Annals, ix (1721-1732), p. 22-3.

³ J.H.C., xx. 5 February, 24 February, 10 March, 13 March, 17 April, 1723/4 and 1724.

and petitioned on the grounds of the "beneficial Improvement in Anatomy." The Bill, entitled "An Act for the better viewing, searching, and examining, all Drugs, Medicines, Waters, Oils ... and also for the providing a Remedy for the President and College of Physicians in London to have the Bodies of Persons executed for Felony or other Offences, within the City of London or Counties of Middlesex or Surrey...", was amended in the lower house to include similar re-assurance to the surgeons and physicians of Cambridge. Two months later in April the bill was read in committee of the House of Lords:

The next Clause, Enacting a Confirmation of Powers formerly granted by Charles for the College of Physicians to take certain Bodies Executed for Felony & other Offences, for Anatomies, Read. After Debate, the same was agreed to be Left out, as were likewise the rest of the Clauses in the Bill the same relating to the Matter of Executed Bodies for Anatomies. (1)

This appears to have been the last attempt by the Royal College of Physicians in the eighteenth century to assure to itself "executed Bodys;" their Annals for the rest of the century contain no mention, at any rate, of attempts to do so.

In contrast to the records of the College of Physicians the Audit Books of the Barber-Surgeons Company allow us to measure total annual expenditures for retrieving dead bodies and to itemize the steps taken for that purpose.

¹ H.L.R.O., Minute Book, vol. lxx, pp. 207-210. See also, H.L.R.O. Main Papers (31 March 1724).

At the beginning of the century they customarily paid the hangman a Christmas box worth two and a half shillings; by the 1720s its value increased fourfold. The Company also paid a customary fee to the Sheriff's officers when a body was delivered successfully to the Company Hall. The beadles of the Company in addition to their regular salary were given encouragement of two pounds for each body they seized at Tyburn. In 1718 "My Lord Chief Justice Parker's Tipstaff" was paid one pound "for taking up severall persons who rescued the Dead Body from the Beadles." On several occasions the Barber-Surgeons prosecuted those who attempted to rescue the bodies from them, each time the costs of prosecution exceeded fifteen pounds. If the condemned man's clothes were torn or lost after he was cut down from the gallows, the hangman (for whom the clothing of condemned felons was an important perquisite of office) had to be compensated for the loss. In 1724 hackney coachmen were paid four pounds thirteen shillings "for Damages done to their Coaches this year in fetching Body's from Tyburn." Witnesses to the Tyburn riots had to be paid to testify in court. The cost of printing the Court of Alderman's orders permitting the Company dead bodies sometimes amounted to five pounds. Windows broken during rioting were replaced at the Company's cost. Constables had to be paid to protect the surgeons and their Hall during the four annual lectures.¹

¹ Guildhall Library, Barber-Surgeons Company, Audit Book 1715-1785, iii, MS. 5255, and for the period following 1745 (after the barbers and surgeons split company) R.C.S., Minute Book of the Court of Assistants 1745-1800, i.

Like the College of Physicians, the Barber-Surgeons Company attempted to enlist the legislative and martial assistance of the government. In January, February 1719/20 the Governors of the Company paid themselves more than twenty pounds to attend "Mr. Secretary of State with the Company's Petition about the Dead Bodies."¹ Their petition referring to the Act incorporating the Company (32 Henry VIII) is worth quoting in full:

That your Petitioners from the time of passing the said Act till lately tho' at a very great Expence have quietly enjoy'd this Priviledge to the great Improvement of themselves and others in the said Art of Surgery and more particularly in the Science of Anatomy.

That within few years last past great Numbers of Disorderly and riotous persons have frequently assembled themselves at the Place of Execution and with open Violence forced away the dead bodyes from your Petitioners Beadle tho' assisted by the Sheriff of the County in obtaining your Petitioners right and particularly at the Past Publick Execution several of Your Majesty's Guards surrounded the Gallows and threatened the life of your Petitioner's Officer in case he offered to carry away any of the said Dead bodys but who such persons where or to what Regiment they belonged Your Petitioners have not as yet been able to discover.

That your Petitioners have prosecuted Sundry of the said Rioters at Law from time to time But it is so very Difficult for your Petitioners to find out the names and places of Abode of the persons who thus Interrupt them and such Prosecutions are attended with so much Expense to your Petitioners that your Petitioners cannot hope to Suppress this growing Evil effectually by any method within their own Power.

¹ Guildhall Library. Barber-Surgeons Company. Audit Book, 1715-1785. MS. 5255, Vol. iii.

The Surgeons then remind the Secretary of State of their usefulness to the Royal Navy before concluding the petition:

Your Petitioners Do most humbly Pray that your Majesty will be most Graciously pleased to permit and direct that a file or two of Your Majesty's Foot Guards shall upon your Petitioner's application to the Commanding Officer attend the Publick Executions from time to time to see that no Interruption be given to your Petitioner's Beadle in the taking away so many Dead Bodies yearly as are granted.... (1)

Paying off the hangman, bribing the constabulary, hiring beadles' "assistants," these were not the only recourses for the surgeons. They petitioned the Secretary of State; they lobbied the House of Commons; they applied to the Secretary of War for the assistance of the Army.² Neither War Office records nor those of the Barber-Surgeons suggest that a more regular relation developed between the Surgeons and the commanding officer of the Foot Guards, as the petition of 1720 anticipated. Certainly, soldiers unless well disciplined were not very reliable from the standpoint of the surgeons. In 1707, for example, the surgeons complained to the Court of Aldermen "that their Beadle was at the place of Execution ... and demanded one of the Bodyes of the Malefactors then executed for a publick Dissection, having a Warrant from the Sheriffes as usual ... and required the Assistance of the Sheriffes Officers; who were prevented therein by about one hundred and

¹ P.R.O., S.P. 35/19.57. n.d.

² Sidney Young, The Annals of the Barber-Surgeons of London (1890), p. 350.

fifty Soldiers ... there gathered together and Armed with swords and staves, and (as it appeared to this Court) corrupted to do the same, who did in a Riotous and tumultuous manner cutt down all the executed Bodyes and carryed them away in Coaches."¹ The Court of Aldermen ordered the sheriff's officers to find the names of the soldiers and the regiment they belonged to "that Care may be taken to bring them to Condign Punishment and prevent the like Disorders in time to come." In the following year the Company again complained to the Aldermen that the Sheriff's officers "suffered other Persons to take the Body away."² Complaints from the surgeons continued to be made throughout the 1720s and 1730s suggesting that if they had established an arrangement with the Guards it was not effective.

In 1729 the Company complained that their proper officers were "frequently Insulted and Molested in the performance of their Duty" by the "great Numbers of loose and disorderly persons [who] often assemble at the place and times of Execution. In this case the Aldermen ordered that all the officers of the City Compters and the Under Sheriff of Middlesex attend each execution."³ In 1735 the Aldermen again desired

¹ Lond. Corp. R.O., Repertories, vol. cxi, fo. 83. During the '20s and '30s the surgeons often obtained a warrant before trying to get bodies. See, The British Journal, 9 November 1723, The Worcester Journal, 17 February 1727/28, 27 March 1727/28, The Daily Advertiser, 9 March 1730/31, 15 May 1731, and The London Journal 28 April 1733, 9 July 1734.

² Lond. Corp. R.O., Repertories, vol. cxii, fols. 436-7.

³ Ibid., vol. cxxxiii, fo. 172.

"the Sheriffs to Give Directions to their Undersheriff of Middlesex that for the future he cause a sufficient Number of the Middlesex Officers to Attend the Prisoners with the Officers of London from Newgate to Tyburn at every Execution."¹ In 1740 the surgeons told the Court of Aldermen that "they had not had One Body for a Year and a Half past, that whenever they sent their Beadles to Tyburn to bring away the Body of any of the Executed Persons, the Same was Rescued from them by the Mobb, who frequently beat and abused the said Beadles."² Four years later the Court ordered the Sheriffs to provide arms to the serjeants and yeomen of the City Compters which were to be used at executions to maintain order.³

The Christmas boxes to the hangmen, the petition to the Secretary of State, the bribes to the constabulary, the application to the War Office, the specially hired beadles' "assistants, the stream of complaints to the Aldermen, none of these policies secured a cheap and regular supply of bodies to the Surgeons. The cost of obtaining corpses was still high: in the period 1715-1750 the Company disbursed over £465 for the purpose, an amount which averaged (assuming the Company got four a year) three pounds seven shillings a corpse. The Account Books of the Court of Assistants of the Company supply us with the evidence to measure the

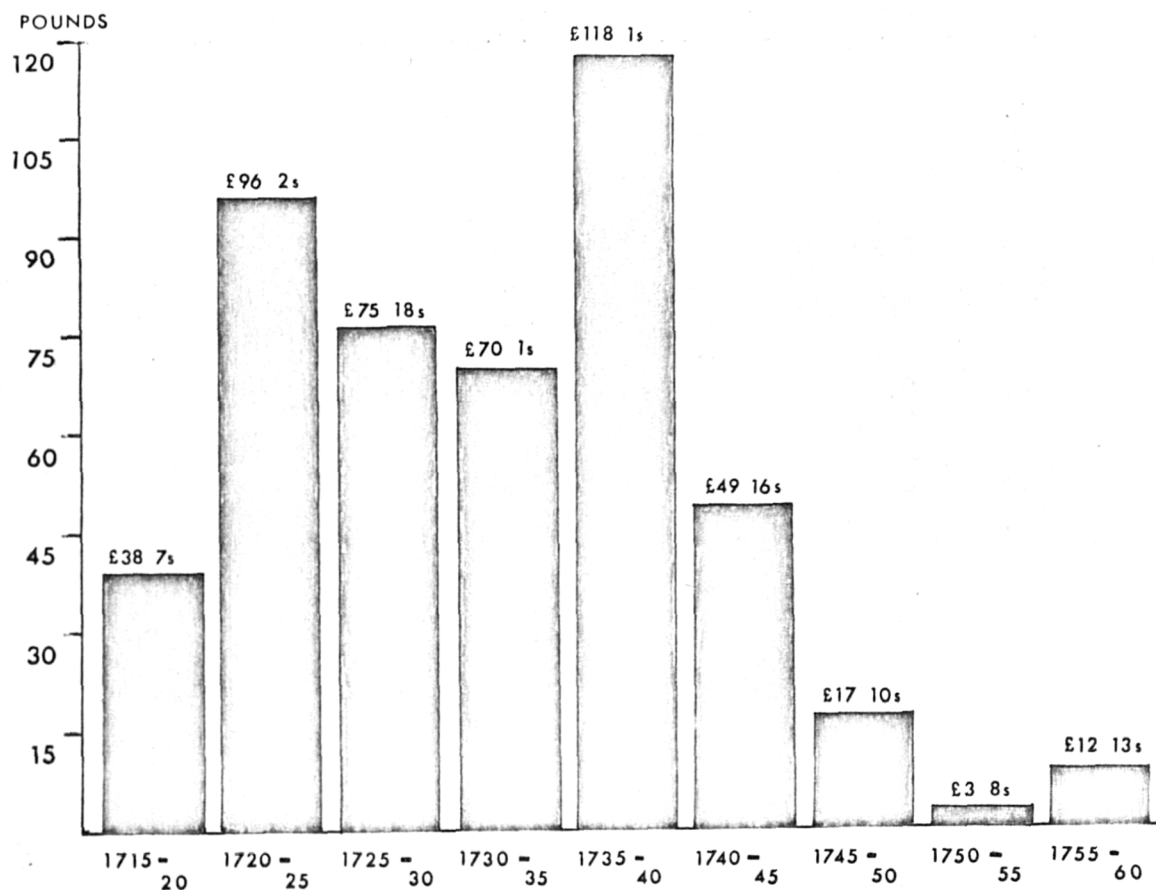
¹ Ibid., vol. cxxxix, fols. 264-5.

² Ibid., vol. cxl. fo. 377.

³ Ibid., vol. cxliv, fo. 311.

GRAPH XXVII

The Cost to the Barber-Surgeons Company of Getting Corpses
at Tyburn (Five year totals, 1715-1760).



difficulties the Barber-Surgeons faced at the gallows. The startling drop of costs in the period following the late 1740's as illustrated in the accompanying graph reveals a deep change in the conditions of getting the bodies of executed men and women. Owing to the results of the Penlez Riots of 1749 and "An Act for Preventing the horrid Crime of Murder" (usually called the "Murder Act") passed in 1752, the balance of forces at the gallows shifted in favor of the friends of the condemned while the Surgeons won new legislation which *partially removed* the obstacles of their getting bodies.

Dissection, considered less as an inquiry into the form of the human body than as a mutilation of the person, was an *important form of* aggravation of capital punishment. "An Act for Preventing the horrid Crime of Murder" (25 George II, c. 37) made this clear. The bill was enacted into law in 1752 at a time when suggestions for new and terrible forms of the death sentence were rife and when the concern with crime and London street robbing in particular had reached the highest levels of government as a result, in part, of the work of Henry Fielding.¹ The provisions in the act establishing only a two day interval between sentencing and execution of punishment and the direction to gaolers that offenders be provided only bread and water (except during the Eucharist) were consistent with the "liberal" penal policy (speedy execution of justice and

¹ W.L. Cross, The History of Henry Fielding, ii (1918), p. 280. Radzinowicz, i, p. 208. The Gentleman's Magazine, (1750), pp. 532-3, for some suggestions for aggravating capital punishment.

imprisonment for the purpose of punishment rather than detention) which Fielding had elaborated a year earlier. The main provision of the Act established the punishment for murder to be hanging, dissection by the surgeons, and public exposure of the mutilated corpse.¹ As the preamble to the Act stated, "it is become necessary that some further Terror and peculiar Mark of Infamy be added to the Punishment." Any person attempting to prevent the execution of this sentence by rescuing the prisoner were to be hanged (if the rescue attempt was made between Newgate and Tyburn while the prisoner was alive) or transported for seven years (if the attempt was made between Tyburn and the Surgeon's Hall after the prisoner had been hanged).

Although the Company of Surgeons, delighted by this sudden coincidence between the interests of criminal deterrence and its own, immediately appointed a committee to aid the legislature in its intentions, the history, provisions, and administration of this Act made it manifestly clear that the Parliament's sole interest was in making the death sentence terrifying.² Science, medicine, anatomy, each was absent from their considerations.

¹ William J. Pinks, The History of Clerkenwell (1881), p. 301, reports that at one time ~~the~~ dissections took place in public view in Hick's Hall, the site of the Middlesex Quarter Sessions on Clerkenwell Green.

² There is no record of the committee's report. R.C.S., Minute Book of the Court of Assistants, i, p. 50. "It were to be wished, that the late Parliamentary Distination of Bodies to the Service of Anatomy, had been extended to all Malefactors in general...." Jackson's Oxford Journal, 4 May 1754.

At the end of the June Sessions at the Old Bailey in 1752 the court pronounced judgment of death upon Thomas Wilford, age sixteen:

You must go from the Bar to the Place from whence you came, and from thence to the Place of Execution, on the second Day after, there to be hanged by the Neck till you are dead, your Body not to be buried, but dissected and anatomized.

The Parliament and the courts had as their first victim of this new law a one-handed boy who in the eleven years he'd spent in the Fulham workhouse was able to save twelve shillings. When he left he married a St. Giles's-in-the-Fields' fruit seller. They lived in Dyot Street. He murdered her in a fit of jealous, drunken rage as he later confessed.¹ After sentence was passed upon him he "was taken from the bar weeping and in great agonies, lamenting his sad fate."²

John Taylor, the Ordinary of Newgate, devoted a large part of his Account of this hanging to an explanation, justification, and commendation of the Act. He felt sure that the "heinous Sin of Murder" was "rather of foreign Importation than of British Growth" arising, he thought, in Italy and Spain. "By stigmatizing the Offenders with the greatest Marks of Infamy, the making the Punishment of those convicted of Murder more

¹ The Ordinary's Account, 2 July 1752, The London Magazine, xxi, p. 333-4. The British Weekly Journal, 9 July 1752. When the Earl Ferrers heard that he was to be anatomized, "he changed colour, his jaw quivered, and he appeared to be in great agitation." ~~Thomas Smollett.~~

² For other cases, see The Ordinary's Account for 22 September 1752, 29 October 1753, 22 October 1753, 11 June 1764, and 17 December 1764. Also see Berrow's Worcester Journal for 28 September 1752, 1 November 1753, 27 October 1763, 14 June 1764, and 20 December 1764.

remarkable exemplary than that for any other Crime, in order to impress a due Horror thereof in the Minds of the People's" he anticipated that murder would wash away from British shores to its intemperate Mediterranean origins. The Ordinary added the special expertise of the Church to strengthen the reasons by which the legislature justified the Act in its preamble. John Taylor culled his Scriptures to find in Genesis 6:5-6 (where God grieves at the wickedness of man and repents having made him) divine vindication of the Act. The provision denying Christian burial to murderers is especially singled out for praise "lest the Earth should again be filled with Violence." Finally the Ordinary brings to bear the dreadful prophecy of Revelation 22:8.

But the fearful, and unbelieving,
and the abominable, and murderers,
and whoremongers, and sorcerers,
and idolaters, and all liars, shall have
their part in the lake which burneth
with fire and brimstone: which is the
second death.

Parliament in the first half of the eighteenth century, therefore, did not view the dissection of the bodies of condemned criminals as a sacrifice to the cause of medical knowledge. In the language of the law, its purpose was to "aggravate" the death sentence. In the "great agonies" of its first victim we see that it succeeded in this aim, though we need not conclude of the Act as does the leading authority of eighteenth century criminal law that the "new system [established by the Act] certainly contrasted most favourably with the old."¹

¹ Radzinowicz, i, p. 208.

Later in the century when bills to extend this punishment to other crimes were proposed to Parliament the interests of criminal deterrence and those of scientific utility promoted by the surgeons and physicians did not agree so nicely. In 1786 "the humane Wilberforce" introduced a bill, "the Dead Body Bill," drafted by the Solicitor-General and the Attorney-General which would have made dissection a mandatory part of the death sentence had not the Lord Chancellor (Lord Loughborough) opposed it in the House of Lords.¹ That House rejected the bill, not because peers were opposed to the progress of anatomy; rather they thought the deterrent effect of dissection would be weakened in the particular case where it already applied (murder) if its application were increased indiscriminately to rape, arson, burglary, and robbery. As Lord Loughborough asked,

Was it wise, therefore, to destroy this salutary effect, by making the deprivation of the rights of burial a common and ordinary consequence of every conviction of almost every capital offence? (2)

In 1796 another bill similarly extending the application of this "peculiar Mark of Infamy" was laid before the House of Commons and defeated for the same reasons as in 1786.³

¹ Radzinowicz, i, 477-9; Life of William Wilberforce (ed. by his sons, 1838), i, p. 115; Anon., Hints Regarding Human Dissection (1795), passim.

² Parliamentary History, xxvi (1786-1788), 197.

³ Ibid., xxxii (1795-1797), 918-922.

It took the legislature more than a century to accept in practice the arguments of utilitarians who saw dead human bodies as properties and useful factors in the production of scientific knowledge. Other institutions of power could not afford to be so recalcitrant when traditional views of the corpse were challenged. The courts were confronted with a quite different tradition in this matter, that of Natural Rights deriving from Locke and consolidated in William Blackstone's Commentaries. Blackstone spoke of the absolute rights invested "by the immutable laws of nature," among them being a person's legal and uninterrupted right "to his life, his limbs, [and] his body."¹ At Tyburn it was not just the first of these which was interrupted. In a century when the severities of the legal code were the first defense for the extension and protection of property in its unrelenting and awful delineation of meum et tuum, and at the same time casual and evasive in its protection of the person, we would expect legal complications to arise concerning the treatment of corpses. Is the dead human body to be regarded as a property and as such to be protected by the full rigor of the law? Or, is it still in some sense a person whose disposal was of no great moment? This contradiction arose in 1788 in a case involving the theft of a corpse. The Court of King's Bench decided in Rex versus Lynn, with regard neither to Blackstone's first absolute right nor to the 'sanctity of private property,' that the human body was not "real property" and to steal a

¹ William Blackstone, Commentaries of the Laws of England, 5th edition, Vol. I, p. 123.

corpse therefore only a misdemeanor. Only in this way could the court avoid a further absurdity, that of evaluating the corpse in terms of money in order to determine appropriate punishment.¹ During the first half of the eighteenth century we can also detect an important shift in attitude towards the dead human body, the corpse. It began to be treated in certain quarters as a commodity with all and with only the attributes of a piece of private property. As it comes to have a definite use as a factor in the production of scientific knowledge, the Christian rituals and other accumulated superstitions reserved for the treatment of the dead are ignored or violated. From the standpoint of the advancement of science these attitudes assume only reactionary significance. A value not measured in the grace of heaven or the fires of hell but quantifiably expressed in gold and silver is put upon the corpse. Bodies are bought and sold. The dead body becomes a different kind of thing~~g~~ as a commodity; its value may be compared via the magic of the price list with quarters of wheat, a surgeon's educational fees, and notes of the Bank of England.

Bernard Mandeville, himself a physician but mainly known for The

¹ The King against Lynn, 24 November 1788. The English Reports. King's Bench Division, Vol. 100, pp. 394-5. In the eighteenth century laws of robbery, burglary and larceny punishment depended on the price evaluation of the stolen goods. In larceny, for example, the difference between eleven pence and twelve pence determined whether the thief was hanged or whipped. See also Jerome Hall, Theft, Law and Society, 2nd ed., (Indianapolis, 1952), p. 93.

Fable of the Bees at once a burlesque and a contribution to political economy, wrote a series of articles for The British Journal in the months before Jonathan Wild was hanged in 1725. These articles, addressed to "men of business," were published later in that year as a pamphlet, An Enquiry into the Causes of the Frequent Executions at Tyburn. In them we are given the first utilitarian defense of the practise of dissection of condemned criminals:

I have no Design that savours of Cruelty or even Indecency, towards a human Body; but shall endeavour to demonstrate that a superstitious Reverence of the Vulgar for a Corpse, even of a Malefactor, and the strong Aversion they have against dissecting them, are prejudicial to the Publick; For as Health and sound Limbs are the most desirable of all Temporal Blessings, so we ought to encourage the Improvements of Physick and Surgery.... (1)

However, even if the relatives of the dead felt themselves or their dead relation defiled by this procedure "the Dishonour would seldom reach beyond the Scum of the People." Mandeville wondered why the thieves who injured the public were not grateful for this opportunity of making a useful restitution to it. Mandeville's genius as a political economist arises from his candid appreciation of the principles of capitalist production and his unhesitating application of these to all departments of morality and civil society. However much he satirized the results of this application, never did he refuse to recognize its inevitability. By

¹ An Enquiry, pp. 26-7. The British Journal, numbers 128-133 (27 February to 3 April 1725).

the end of the century some writers combined arguments of utility with the language of political economy and spoke of "the supply and demand" of dead bodies.¹

We may sum up. In the first half of the eighteenth century empirical discoveries advanced the science of anatomy and established British predominance in the field. The private surgeons working in their own schools or in hospitals without the help of the College of Physicians or the Surgeons' Company made these discoveries. Their needs led to an enormous increase in the demand for corpses. Their struggle to obtain bodies from the gallows threatened the ancient privileges of the College of Physicians and the Barber-Surgeons Surgeons Company. This conflict, however, lay concealed beneath a far more serious antagonism. The combined demands of the Physicians and the Surgeons on one hand and the surgeons of the schools and the hospitals on the other produced an intolerable situation to the "loose and disorderly persons" gathered beneath the gallows' tree whose violence against all types of surgeons intensified.

¹ For example see, William Rowley, On the Absolute Necessity of Encouraging ... the Study of Anatomy (1795), passim. Also see Edward Gibbon Wakefield, Facts Relating to the Punishment of Death in the Metroplis, 2nd edition (1832), p. 207. John Bellers, another early political economist, wrote, "It was not easy for the students to get a body to dissect at Oxford, the mob being so mutinous to prevent their having one. He recommended that patients dying in hospitals should be dissected "for the better information of the physicians, the universal spreading of knowledge among the faculty and future good of the public who may require advice." Essay towards the Improvement of Physick (1714).

Such were the factors causing the disturbances at Tyburn. The relative peace which settled at the gallows after mid-century resulted from the partial satisfaction of the interests of all parties. The Physicians, as appears from their records, ceased obtaining bodies from Tyburn by the third decade of the century. After 1752 the Company of Surgeons received a regular supply of them. The private surgeons got corpses from parish grave yards and from those of their own hospitals, but not from the gallows. This unsteady settlement arose not from arguments with the "Scum of the People" but from their own protracted struggles.

Historians of eighteenth century British medicine are agreed that it was the emphasis upon empirical experience that led to the great advances in anatomical knowledge upon which rests the achievement of medical progress in that century. None have held up Will Fox, Lot Cavenagh, James Dogan, Sarah Wilmhurst or any other malefactor who bled at the surgeon's knife as martyrs in the cause of science.¹ No one thought they were. They were the "Scum of the People." Let us take a closer look at them. Who were they? What moved them to riot? We turn now to the first of these questions.

¹ "In addition, the poor support innovation in medical practise as patients in teaching and research hospitals and as guinea pigs in medical experiments." Herbert J. Gans, "The Use of Poverty: The Poor Pay All," Social Polity, ii, 2 (July-August 1971). The author, finding that poverty is a "persistent social phenomenon," discovers its "positive functions for many nonpoor groups." It is a long way from Mandeville's Fable to modern functionalism.

Chapter Fifteen:

"THE SCUM OF THE PEOPLE"

"For I said, Hear me, lest otherwise they should rejoice over me: when my foot slippeth, they magnify themselves against me. But mine enemies are lively, and they are strong; and they that hate me wrongfully are multiplied. They also that render evil for good are mine adversaries; because I follow the thing that good is. Forsake me not, O Lord: O my God be not far from me."

Psalms
38: 16, 19-21.

To the surgeons and physicians the opposition they faced at the gallows came from "loose and disorderly Persons." To Mandeville that opposition was caused by "the Scum of the People." To the magazines, journals, and newspapers which noted the disturbances the opposition came simply from the "Mob."¹ We shall try in this section to discover who composed this mob by making inferences from the appeals of the condemned felons. Rarely were these appeals unspecific, though in some cases they were. James Carrick, for example, appealed to that notorious eighteenth century formation, the "mob." When he "came to the Place of Execution, he smiled upon, and made Bows to all he knew. Instead of praying with the rest of the Criminals," the Ordinary writes, "he employ'd that Time in Giggling, taking Snuff, making Apish Motions to divert himself and the Mob. When Prayers were over, he told them, the Sheriffs had made an Order that no Surgeons should touch his Body."² His appeal was to the undifferentiated crowd in the fields around the gallows.

Twenty-eight years later William Smith appealed to an equally undifferentiated crowd, one opposed to the "mob"

¹ See for example, Applebee's Weekly Journal, 16 September 1721; The British Journal, 9 November 1723; The London Journal, 13 July 1734; The Worcester Journal, 9 November 1723, 9-16 July 1742, 5-12 October 1744; Reade's Weekly Journal, 21 January 1737/38, 11 March 1737/38; Berrow's Worcester Journal, 11 October 1750; The Gentleman's Magazine, December 1758.

² Select Trials, vol. i., p. 212.

but like it in that its usage became established in the eighteenth century, that is, the "Publick." He appealed to it by advertising in the newspaper:

... I cannot refrain from Anxiety, when I think how easily this poor Body, in my friendless and necessitous Condition, may fall into the Possession of the Surgeons, and perpetuate ~~by~~ Disgrace beyond the Severity of the Law....Therefore, most fervently do I intreat the generously humane and charitably compassionate, to afford me such a Contribution as may be sufficient to protect my dead Body from Indecency, and to give me Consolation of being assured, that my poor Ashes shall be decently deposited within the Limits of consecrated Ground....After Death, the Law has permitted my Remains to pass without further Ignominy. Then why should Inhumanity lay her butchering Hands on an inoffensive Carcase? ¹

Smith's father was a rector and an attorney; he himself was a graduate of the University of Dublin which may explain the appeal to the "public" of eighteenth century newspaper readers.

We will find that by classifying those to whom these appeals were directed that there is a congruence of social position between them and the felons making the appeal. Those to whom the felon appealed and those who actually initiated the battle for re-possession against the surgeons were the same. We find roughly five kinds of solidarities with the condemned. These were 1) the family of the condemned, 2) his personal friends, 3) those of his workshop, 4) the Irish, and 5) soldiers and sailors. During the course of the riot these specific

¹The Ordinary's Account, 3 October 1750.

solidarities were often transcended. This usually occurred during the transition from a riot directed against the surgeons to those against other enemies, coal-masters, cockbawds, constables and the like.

Felons appealed first to their families, that is, when they had them or where they were accessible. One of the most striking demographic characteristics of the London population was the high proportion of dispersed families, particularly for those between the ages of twenty and thirty. A recent authority has estimated that the mean age of London migrants was twenty.¹ The mean age at death of those hanged at Tyburn was twenty-three and for those born outside London and hanged at Tyburn somewhat older, twenty-five or twenty-six. Two-thirds of the hanged were born outside of London; most of these men and women came to London without their families. The young, the mobile, and the unmarried provided a significant proportion of London's population. Family ties may not have been weak, but they were certainly loose, and for those sentenced to death the last hours of life were often passed in locating and gathering their relatives together.

Richard Shepherd of Oxfordshire ran "irretrievably into Debt" when he married without having first finished

¹E.A. Wrigley, "A Simple Model of London's Importance in Changing English Society and Economy, 1650-1750" Past and Present, 37 (July 1967).

his apprenticeship to a butcher. His master demanded as a result of this violation of the indenture two pounds cash and an additional twenty-eight pounds in a bond to be held in security for the remainder of his time. This at any rate is what he told the Ordinary of Newgate. Unable to pay off his debt and finish his apprenticeship, Shepherd joined a house breaking gang and for the next ten years on and off robbed up and down the Thames Valley (between times "he bought and sold Old Clothes about the Street."). Two of his friends were hanged at Guildford, he himself had once been pardoned of felony at Reading Assize before he was finally caught, condemned and hanged at Tyburn. The morning he was due to be executed Thomas Purney, the Ordinary,

...advised him to take due Care of his Soul; for he seem'd to be particularly Solicitous about his Corps after Death: He said his Wife went that Morning to sell the Cloaths she had upon her to buy him a Coffin, and he hoped he would then escape the Hands of the Surgeons.¹

Martin Gray, born in London, also found his troubles beginning when he married before finishing his apprenticeship to a Thames fisherman. He became a pick-pocket, was sentenced to transportation, and in 1721 sentenced to hang for having returned from exile. "He said he was greatly frightened lest his Body should be cut, and torn,

¹ The Ordinary's Account, 29 January 1719/20, and The Proceedings, 4-7 December 1719.

and mangled after Death."¹ His wife was sent to his uncle, a country grazier of some substance, who financed the protection of Gray's dead body and secured its decent burial.

Although George Sutton served three years of his apprenticeship to a house carpenter, he was and had been from the time he was tall enough to reach a pocket, a thief. In and out of the Old Bailey several times, a subject of several sales in Maryland, Virginia, and Philadelphia as a transported convict, he was finally caught for good in that familiar web of circumstances which brought so many to the gallows: a friend with no way to save his own neck betrayed George to the thief-takers. He ended his days at Tyburn on 3 March 1736/37. He had been there at least once before in June 1735 to ride with his brother, John, to the tree, to organize resistance against the surgeons, and to bury him peaceably.² James Gunnel's brother took responsibility for the funeral and burial after his hanging and watched over the grave the night of burial because London surgeons had come down to Guildford for the hanging day.³

¹ The Ordinary's Account, 3 April 1721.

² Ibid., 3 March 1736/37, and The Proceedings, 8-13 December 1736 (Part ii).

³ A Genuine Account of the Behaviour, Confessions, and Dying Words, of the Six Malefactors ... Who were Executed at Guildford, 13 April 1742. Gunnel, a husbandmen and country labourer, hanged for stealing a sheep from a church yard: "he own'd some of the Mutton was found in his house, but he declar'd he bought it."

Timothy Cosgrove also hanged at Guildford for a robbery he denied committing to the end. He was bred to a malster in Ireland, came to England as a gentleman's servant, saved enough capital from this to set up in a small way as a dealer of linen and hair between France and England. His brother, who kept a lodging house in Drury Lane where Cosgrove usually stayed when trading in London, came down to Guildford for the hanging to protect the corpse from the surgeons and to pay for its burial.¹ "How her Body was to be dispos'd off," was the only concern Sarah Wilmshurst had on the morning of her execution. James Guthrie, the Ordinary, told her "that ought to be the least of her Concern now ... [but] that her Father & Brother would look after her Body, and have it decently interr'd in a Christian Manner."² Jealousy of her father's small but precious amount of property had led his maid servant who fancied she had some claims on it herself to prosecute Wilmshurst for the murder of a bastard infant. Wilmshurst was married to a house carpenter to whom she bore ten children; she no longer lived with him but had become the mistress to a watch maker at "the other End of Town." She said of her hanging, "lett

¹The True and Genuine Confession, Behaviour, and Dying Words of all the Malefactors that were Executed at Guildford &c., 16-21 March 1738.

²The Ordinary's Account, 18 May 1743.

it be a warning to the World how peevish sware folk
lives away." John Casey, hanged in 24 September 1722,
for stealing a watch which he pawned at Pimlico skittle
ground, had one year earlier attended his brother's
hanging, riding with him in the tumbril to the Tree
and protected his body from the surgeons.¹

William Seston hanged 20 May 1728 for a highway
robbery, as a soldier he had not thought "his Pay
sufficient." His wife came down from Lancashire to
protect his body. They had not seen one another in
three years.² Matthew Lee, a Lincolnshire shoemaker,
was hanged for stealing a silver watch. His brother and
sister hired a hearse the better to protect his body.³
Henry Burroughs (the "Cobbler") was a poor clog maker
who was hanged for stealing two woollen caps. "He
was miserably poor and naked, no Body coming to take
Care of him, but his Mother." The surgeons got him.⁴

¹The Ordinary's Account, 11 September 1721 and 24
September 1722. Select Trials, vol. i, p. 239.

²The Ordinary's Account, 20 May 1728. The London
Journal, 25 May 1728.

³The Ordinary's Account, 11 October 1752. The Worcester
Journal, 19 October 1752.

⁴The Ordinary's Account, 17 February 1743/44. The Worcester
Journal, 17-24 February 1743/44. At the same time the
surgeons took a seventeen year old Croydon waggoner who
was "half dead with Horror and Confusion" even before he
was hanged.

John Stanley, hanged in December 1723 for murder, "hoped no one would be so cruel as to deny his relations the gift of his dead limbs that they might receive a Christian burial."¹ Oliver White's father came down to Guildford from Carlisle to attend his hanging, protect his body from the surgeons, and watch over his grave.² Usually, as we may assume, notice of a hanging came to the relations of the condemned by word of mouth or the public notoriety of the trial where news of those sentenced to death was usually included not only in the London but also in the provincial press. In other cases the condemned had to take more active steps to convince their relatives to intercede for them at the hanging. In 1737 Richard Sampson, an apprentice coachwheel maker and veteran of both the army and navy, was hanged for stealing a hat worth six shillings. Before he died he wrote his grandfather a letter thanking him for taking responsibility for saving his "carcass" from the surgeons.³ Of course many of the condemned could neither read nor write, so (if they could afford it)^{they} hired Newgate scrivenors to write their letters ~~for~~ them. With an incompleted apprenticeship as a shoemaker and five years as a common soldier in the second regiment of the Guards,

¹ Select Trials, vol. i., p. 38. John Villetee, The Annals of Newgate (1776), vol. i, p. 207.

² The True and Genuine Confession ... of all the Malefactors that Were Executed at Guildford, 16-21 March 1738.

³ The Ordinary's Account, 29 June 1737.

James Caldcough had no friends with any influence who might get him a reprieve of his death sentence for highway robbery. The little money he possessed paid the professional letter writers around the prison who wrote his father and "Nanny" asking them to attend his execution.¹

Charles Spinnel, sixty-one years old, was born in Berkshire, worked as a country labourer, and served twenty years in the Third Regiment of the Guards, before finding his last employment in Paddington as a sawyer. In the same shop he laboured with his step-son, James Shields, also born in Berkshire, and Shields' brother-in-law, Thomas Dent. The three of them early one morning robbed a quartern of mutton from two higglers returning to Harrow from Clare market. They had thus supplemented their income by robbing on the small country traffic provisioning London for some time. Dent's sister, poor woman, thought to save her husband by betraying her brother's hiding place in a Paddington cock loft to the thief-takers. But all three were hanged in December 1739. Thomas Dent wrote his grandparents from Newgate begging them for a blanket and "pray send some body to take my Body from the Surgeons."²

¹The Ordinary's Account, 2 July 1739.

²Ibid., 21 December 1739, and The Proceedings, 5-10 December 1739.

Samuel Curlis and his father were both tailors in Malden, Sussex. In 1727 the son tramped to London to find journey-work. Samual Curlis arrived in the summer, "cucumber time," as the tailors called this their dull time of year;¹ so being unable to practise his trade, he enlisted in the First Regiment of the Foot Guards. Four years later in 1731 he was hanged at Tyburn for stealing a brown mare. Leaving needle and thread behind him, his father journeyed the forty or fifty miles to London there to see the hanging of his son. Beneath the gallows, perhaps with the aid of others, he took possession of his son's corpse against the surgeons and returned it to Sussex for Christian burial.²

It is perhaps well to remember Curlis's and White's fathers. Their travels to London, one from Sussex the other from Carlisle, confirm the general proposition deduced from demographic evidence that the families of Londoners were often dispersed all over the country. However, it does not follow from this that family loyalties were correspondingly weak (Curlis and White refute the idea), only that under the circumstances it

¹Anon., A New Canting Dictionary (1725), and Francis Grose, A classical Dictionary of the Vulgar Tongue (1785).

²The Ordinary's Account, 16 June 1731.

could be difficult to express them. Often some considerable sacrifice by brothers, uncles, fathers, and wives was needed in this last union at death. Surgeons found it simpler to get bodies if their agents masqueraded as the parents of the dead rather than enforce their prerogatives by the force of arms.¹ It could be dangerous, this last family office. In 1721,

...was hang'd at Oxford (being the only person condemn'd there this last Assizes), a young man of about 22 years of AGE for divers Crimes. His father and mother, who live somewhere about Thame, were present at the Execution, and had a coffin to bury him, but the Scholars, having combine'd to have him dissected, took the body by force, abused the Father and Mother in such a degree, that the woman miscarried and is since dead....²

Patrick Knowland, a Dublin tailor, hanged in 1731 for stealing three sheets and fifteen napkins. He had family nearby but none that could help. His father-in-

¹ Anon., A Trip Through the Town (1735).

² Thomas Hearne, Remarks and Collections 1705-1735. Oxford Historical Society (1884-1918), vol. vii, p. 228. Also, ibid., vol. x, p. 313, for a case nine years later in Oxford illustrating how a simple affray develops into a municipal riot. "Hanged at Oxford, one Richard Fuller of Caversham in Oxfordshire, a young man of 26 years of age for murdering his wife. There was sad work on that occasion, the Scholars endeavouring to get the dead body, assisted by some Townsmen and others on the contrary hindering. The Relations had provided a coffin to have it decently buried at Aversham but the Scholars broke it all to pieces, the body being in it; after which those opposite to the Scholars had it again, and so for several times, sometimes one side had it and sometimes the other... The Tumult was so extraordinary that the Town Clerk was forced to read the Proclamation but to no purpose, the Rioters drying out they did not hear it."

law was hanged the same day with him. His wife was in Newgate. His daughter was in Newgate. Surgeons took his body.¹

The fact remains that few of the total number of felons hanged at Tyburn were able to have the satisfaction of their family's presence with them at death. To secure a decent burial, to prevent the surgeons from taking their corpses, the condemned malefactors had to rely on others who were willing to serve them this usually family office. They turned next to their friends for this last favour.

Samuel Richardson, writing in 1740, described a Tyburn riot as follows.

As soon as the poor creatures were half-dead, I was much surprised before such a number of peace-officers, to see the populace fall to hauling and pulling the carcasses with so much earnestness, as to occasion several warm rencounters, and broken heads. These were the friends of the persons executed ... and some persons sent by private surgeons to obtain bodies for dissection. The contests between these were fierce and bloody, and frightful to look at...."²

Felons worried to the hour of their hanging whether their friends would come to save their bodies and whether they'd be successful. Will Fox who was hanged in 1704 for shop lifting seven fustian frocks and a pair of breeches "instead of making preparation for his Soul," wrote

¹The Ordinary's Account, 20 December 1731. The Proceedings, 13-15 October 1731 and 8-13 December 1731. The London Journal, 25 December 1731.

²Familiar Letters on Important Occasions (1928), p. 219.

Paul Lorraine, then the Ordinary of Newgate, "some days before Execution seem'd much more troubled about the Disposal of his Body, alledging that he much questioned wither any of his Friends would take care to give it Christian Burial."¹ John Thompson was hanged in April 1721 for picking a pocket of two guineas and a half guinea piece. "He lamented grievously, that all his Friends had now forsaken him in his Distress, and that tho' he lately had such numerous Acquaintance, he knew not, that he had one left who would procure a Coffin for him, or take any Care that he should be buried."² At the hanging of 16 May 1750 "one or two" of the hanged felons "having no Friends were left under the Gallows, and are said to have been carried away for the Purpose and Use of Anatomy."³ More often condemned felons had friends who successfully resisted the surgeons.

James Clough, a Clare Market vintner, murdered a fellow servant, Mary Green, whom he had been courting. When the cart passed their shop in Holborn on the way to Tyburn, Clough had it stopped, called for a pint of wine, and stated his innocence. His friends carried

¹The Ordinary's Account, 10 May 1704.

²Select Trials at the Sessions-House in the Old-Bailey (1742) vol. i, p.32. Rev. Mr. Villette, The Annals of Newgate (1776), vol. i, p. 281.

³The Ordinary's Account, 16 May 1750.

his body from the surgeons to be buried next to his brother in the Holborn burial yard.¹ Thomas Past served out his apprenticeship to a brickmaker but got work as a waterman. He was hanged in 1731 for stealing a hat valued at fifteen shillings. He sent some lines to the Ordinary:

In Shore Ditch there I did Dwell
Where many People knows me well;
And Brandy Shops I did use,
And lewd Women I did choose.
A wicked Sinner I have been,
In Whoring and in other things;
Two Wives I have been Married to, ²
Which now Alas! does make me rue.²

These women and his other friends saved him from the surgeons and guarded his body safely back to his home. Richard Turner, a shoemaker, stole fifty-three pounds sterling worth of his master's plate in order (according to the Ordinary) to support the expensive tastes of his mistress. He wrote to her from the condemned cell sending as a last token his shirt studs and asking her to protect his body and see that it was buried in Stepney alongside his father's grave.³ Vincent Davis pleaded in court with the Justices that he might be hanged in chains after he had hanged at the gallows, not because he had a strong sense of the deterrent value his corpse

¹Select Trials, vol. iii, pp.121-2.

²The Ordinary's Account, 6 March 1731/32.

³Ibid., 21 December 1739.

would exhibit to travellers passing to London, but because even this last humiliation was to be preferred to dissection by the surgeons. In Newgate he "not only sent many Letters to all his former Friends and Acquaintances to form a Company, and prevent the Surgeons in their Designs upon his Body; but at the Chapel strove to conceal his looks from those whom he suspected to be such." His friends apparently did form a "Company," because he was saved from the surgeons and safely buried in Clerkenwell burial ground.¹ The friends of William Parsons (hanged in 1751 for attempting to rob a banker on Hounslow Heath) not only protected his body from the surgeons after he was cut down from the Tree but they slacked lime into his coffin "to prevent it from being of any Service to a Surgeon."² William Jones came to London from Shropshire and found work as a porter to a City linen draper. In 1774 he

¹ The Ordinary's Account, 30 April 1725. Select Trials, vol. ii, p. 194. Villette, The Annals of Newgate (1776), vol. i, p. 281. A True Register of all the Marriages, Christenings and Burials of St. James, Clerkenwell, ed. Thomas Hovenden, vol. vi (1720-1754), The Harleian Society (1893).

² For some other cases where "friends" rescue the body from the surgeons, see The Ordinary's Account for 20 November 1727, 26 July 1731, 18 January 1737/38, 11 May 1748, 20 February 1748/49; also, The Craftsman, 25 November 1727; The Daily Advertiser, 27 July 1731; Reade's Weekly Journal, 19 May 1749; The London Evening Post, 19 May 1749; and The British Weekly Journal, 23 February 1748/49.

was hanged for robbing his master's linen. At the Tree he delivered written instructions to his "friends" in the "vast concourse of people" directing them to see that he was decently buried.¹ Lot Cavenagh was hanged in 1743 for robbing a butcher. He had survived service in the French and British armies, three tours at sea caused by impressment, and ten years of highway robbing around London and the southern counties, but not the machinations of a former comrade turned thief taker who betrayed him to the justices. After he was caught and condemned Dorothy Rowland wrote to him in Newgate:

10 Feb. 1742/3

Lot Cavenagh, you do very well know that I have been very much deceived by you; I need not tell you the Particulars for you know them right well; and notwithstanding that, I have endeavour'd to assist you to the uttermost of my Power to do that THING which you requested of me, touching the saving of your Body from the Surgeons; you speak threatening Words to me, telling me, that if² you can, you will trouble me after you are dead.

Friends included comrades, cohorts, those with whom the condemned felon had worked in highway robbery, house breaking, and street robbing, people who, in thieves' cant, were called "fellow men."³ As the following two cases show, the struggle for possession of the body, sometimes entailed life and death risks on the part of those fighting

¹ John Villette, A Genuine Account of the Behaviour, Confession and Dying-Words of William Hawke and William Jones (1774)

² The Ordinary's Account, 13 April 1743.

³ See Eric Partridge, A Dictionary of the Underworld, 3rd edition, (1968).

for their friend's corpse. John Miller was captured by the constabulary and imprisoned in New Prison, Clerkenwell, for attempting to rescue from the surgeons the body of his friend, George Ward.¹ Ward had been a journeyman joiner and was hanged for robbing a grazier of his money at Smithfield. John Clark was hanged for stealing a gold Cornelian seal. Among his fellow watermen he was known as "Lord Mansfield," but to his friends expert at hustling countrymen freshly arrived in London by the trick called 'Dropping the Guinea' he was known as "Pug" or "Jack the Catcher." He was caught at the hanging day just previous to his own: "I had been to Tyburn to assist in carrying off the Body of my Friend, Joseph Parker [sailor, fruit hawker, and coiner], from the Surgeons, and was seen by the Prosecutor."²

After 1749 the "friends" of the condemned buried them without much disturbance. Then it was

But if our Friends will stand by us,
Six and Eight-pence for to pay;
He takes his Cheve and cheves us down,
And they carry our Bodies away.³

For reasons that we shall discover in the next section the balance of forces at Tyburn among the mob, the surgeons, and the civil officers had changed to the advantage of the "friends."

¹The Ordinary's Account, 24 May 1736, and Reade's Weekly Journal, 29 May 1736.

²The Ordinary's Account, 6 August 1740.

³Anon., Villany Exploded: Or, the Mistery of Iniquity laid open (1728) contains the complete text of this ballad.

Apprentices and journeymen who were condemned often appealed to their former masters asking them to take responsibility for saving their bodies from mutilation by the surgeons. Masters of a workshop and comrades from the workshop, these constitute the third type of social solidarity we see in action beneath the gallows tree. Richard Cooper, hanged for murdering a maid servant in the Leadenhall apothecary shop where he worked, was saved from the surgeons because his master interceded with the Sheriff.¹ Charles Connor was born, schooled, and bred a sawyer in Shoreditch. After some years service aboard a man-of-war in the Baltic and the Mediterranean he returned to Shoreditch and did journey work to Mr. Edmund Blizzard, near Hoxton Square. In 1735 he was hanged for murdering his wife in a fit of drunkenness. From Newgate he wrote his former master,

... and I begg of all Love that you would desire all such Friends, that shall come to see me Dye, that they will be so good as not to let the Surgeons have my Body, but to give me their Assistance, for my Brothers and other Friends have promised me so to do, which I hope in God they will, for my Desire is to lay by my Wife if possible I can....²

Henry Bosworway, a Clerkenwell sawyer, was hanged for killing one of his fellow journeymen in a drunken brawl

¹ The Ordinary's Account, 14 May 1731. The Daily Advertiser, 15 May 1731, and Reade's Journal, 15 May 1731.

² The Ordinary's Account, 22 September 1735.

at lunch time. From Newgate he wrote another sawyer in the same shop pleading with him to intercede with their master,

I desire you'll go to Mr. Poregar and put him in mind, for he has promised to get a coch and some help to save my Body from the Surgeons and I hope the rest₁ of my Fellow-Servants will be ther to assist.¹

Bosworway's fellow servants were there and perhaps Mr. Poregar as well; they assisted and were successful.² John Totterdale, hanged for killing his wife in a jealous rage, wrote his former master, a Westminster brewer, asking for his assistance in saving his body from the surgeons so that "it may lay by his wi^cfe."³ Richard Tobin, a drawer, was hanged for stealing a peruke, valued at seven shillings, from a man in the street. He wrote his former master, the keeper of the Globe Tavern in Hatton Garden,

...take some Pity on me ... for my Frends is very Poor, and my Mother is very sick, and I am to die next Wednesday Morning, so I hope you will be so good as to give my Frends a small Trifill of Money to pay for a Coffin and a Sroud, for to take my Body a way from the Tree in that I am to die on ... and dont be faint Hearted ... so I hope you will take it into Consideration of my poor Body, consedar if it was your own Cace, you would be willing to have your Body, saved from the Surgeons....⁴

Richard Tobin's plea to the keeper of the Globe was successful

¹The Ordinary's Account, 29 June 1737.

²A True Register of all the Marriages, Christenings and Burials of St. James, Clerkenwell, ed. Robert Hovenden, vol. vi (1720-1754), The Harleian Society (1893).

³The Ordinary's Account, 5 October 1737.

⁴Ibid., 30 May 1739.

and Tobin was given Christian burial in the parish of his birth, St. Andrew's, Holborn.¹

Pleas for proper interment made to former masters succeeded, at least where the evidence of the manner of disposal of the corpse exists. This of course is not surprising. Relations of dependence other than the wage contract bound journeyman to master in the setting of the small workshop. They both laboured, if not at the same work bench performing the same job of work, then in the same shop cooperating to produce the same product. In these small units of production, the coopers' yard, the watchmakers' house, the sawyers' pit, Capital and Labour did not appear against each other in inexorable contradiction. Here lies the framework of manufacturing paternalism. The sudden destitution which so often led to highway robbery, house-breaking, and other ways of "raising contributions from the public," came about as easily from debt and bankruptcy as it did from low wages or unemployment. In the world of eighteenth century manufactures catastrophe took the same form to master and man. They joined in common institutions to defend themselves against an uncertain and precarious existence.

¹Guildhall Register of Burials. St. Andrew's Holborn. 1726-1739.

Day-labourers, shop-keepers, tailors, shoemakers, coal-heavers, small tradesmen and journeymen alike, formed Friendly Societies, Benefit Societies, or "Box Clubs" whose main aim was to provide its members with some relief against the calamities of sickness, unemployment, and death.¹ They were an eighteenth century institution, at least in their origins² and at first were welcomed by their members' betters as providing a supplement (and in some cases replacing) the strained resources of parochial relief. Defoe had praised them for this reason in his 1697 Essay on Projects. Already by 1742 they had become common in London and one observer described them as "great and numerous societies which consist of many thousands of members."³ One of their chief functions was to supply a "decent funeral" to their members; in the first part of the eighteenth century the expenses for such a funeral amounted to three pounds and by the last quarter of the century ten or twelve pound funerals were not unusual. Although the later fear of these societies expressed by the spokesmen of industrial capital was not without precedent in the eighteenth century, as we find in 1739 when the coal-heavers attempted to form one in the teeth of the

¹For a national account of these institutions, see E.P. Thompson, The Making, 419 et seq.; and M.D. George, 292-5, for a fuller discussion of them in London.

²F.M. Eden, The State of the Poor (1797), vol. i, p. 600.

³Anon., A New and Compleat Survey of London (1742), vol. ii, pp. 1141-2.

opposition of their employers,¹ the political and industrial conditions which in the early nineteenth century allowed some to see in these societies "the germ of revolution"² and others, like Patrick Colquhoun to lash out at even their most innocuous functions³ were not present in the first half of the eighteenth century. Mutual aid within or without the context of the Friendly Society was an aspect in some cases at least of the paternalism between master and man. It included the provision of a decent funeral; all members of a fellowship paid for it and all members were supposed to attend.⁴

Thomas Collins and John Harris had been at times soldiers in the army and country labourers. When they were hanged on Kennington-Common in 1743 for stealing a black gelding the brickmakers for whom they worked lost two men of several years' standing in the trade. The Rev. Mr. Wilson, Lecturer of St. John's, Southwark, reports that after their bodies were cut down from the

¹ "An Impartial By-Stander" in The Case of Mr. R--ds (1753), p. 19 et seq.

² C.S. Davies, History of Macclesfield (Manchester 1961), p. 180, as quoted in Thompson, op. cit., p. 421.

³ "There is one general principle that runs through that society which I highly disapprove, and that is, the ambition of the most miserable of them to have what they call a Decent Funeral..." Patrick Colquhoun's evidence to the Committee on Mendicity, Report (1815), p. 286.

⁴ George, p. 293.

gallows, a skirmish with the surgeons was successfully enjoined by the brickmakers who later were able to bury Collins and Harris without further trouble.¹

In 1728 William Russell and William Holden were caught and hanged after several years of more or less professional street robbing. The morning of their execution Russell offered a deal to Holden: "I'll provide a sufficient Coach for carrying off our Bodies from the Place of Execution,...[if] your Fraternity (Holden having been a Hackney Coachman) will preserve our Bodies from being carried off by Violence."²

Thomas Pinks was hanged in 1743. The networks of both his robbing and his work were intertwined with those of the flesh provisioning trade in Shoreditch. His brothers, neighbours in Shoreditch, higglers, and drovers took care of his body at Tyburn:

He was carried to the Place of Execution in a Cart, being strongly Guarded by a great Number of Sheriff's Officers, for fear of a Rescue; which there was some Reason to apprehend might be attempted, as it was observable there were a great Number of stout young Fellows pressing pretty near the Cart

¹Rev. Mr. Wilson, A Genuine Account of the Behaviour, Confessions, and Dying Words of the Malefactors Who were Executed at Kennington-Common (1743).

²The Ordinary's Account, 20 May 1728.

...But they delaring they had no other Intention, than to take Care of the Body, for Christian Burial, which being promised them, they Attended to the Gallows with much Decency.¹

His brother wrote him in prison assuring him that "As for my part you are welcome to be brought to my House and bured from thens." The letter concluded, "So dear Brother, I hope you will be so good as to send your Coat and Wig to your Brother, which will serve you as much as lies in my Power."

Not everyone hanged at Tyburn was able to assure themselves a decent burial by appeals to neighbourhood solidarity, the ties of a common work experience or to the loyalties of family and friends. But those who were able to do so remind the historian to be on guard against the facile explanations or urban disorder that so glibly refer to the 'anonymity of urbanization' or the anomie of city life. However, it remains true that large parts of the eighteenth century London labouring poor did not have its roots in London. The Irish and discharged sailors and soldiers were perhaps the most mobile of the London poor.

¹ The Ordinary's Account, 7 May 1742. The river people and bargemen of Oxford were well-known opponents of the Oxford anatomy 'Scholars.' They intervened as a group to rescue the hanged bodies of Joseph Curtis and Richard Baylise from the surgeons in 1754 and 1755. See Jackson's Oxford Journal, 4 May 1754 and 3 May 1755. Robert Randall was rescued by William Buscoe, a bargeman at a "pitch'd Battle." One Darkin" was carried by the Bargemen to St. Thomas Church to be buried" after he was hanged. See James Woodforde, Diary of a Country Parson (1924-31), 5 vols.

About sixteen percent of the people hanged at Tyburn in the first half of the eighteenth century were Irish. As successive chairmen of the Middlesex Sessions of the Peace were to complain, the Irish were the most dangerous threat to them and to the London constabulary. In May 1736 George Ward, a Dublin born house carpenter, was hanged for robbing a Clerkenwell watchmaker's shop. After he was dead the surgeons' officers moved to the gallows to take his body. An observer writes: "the Mob opposed it, and a terrible Battle ensued, when several Heads were broke on both Sides, but the Mob not only carried Ward's Body away, but would not suffer the Surgeons to carry off any of the other Bodies."¹ In September of the same year Ward's friend, Edward Row, was hanged. Row finished his apprenticeship in Dublin to a glover and was employed "in his own way as a Glover" in Drury Lane. There was a battle for his body, too, but the surgeons' won it.² Two months later William Rine, an Irishman with ten years' service in the Irish Regiment in France behind him, was hanged for stealing the hat, coat, breeches, buckles, buttons, rings, keys, and shoes of an Uxbridge innkeeper. At Tyburn the Sheriff

¹ The Ordinary's Account, 24 May 1736, and for the observer's account of the battle see Reade's Journal, 29 May 1736. John Miller was taken to New Prison for his role in the riot.

² The Ordinary's Account, 27 September 1736, and the London Post & Daily Advertiser, 28 September 1736.

was forced to read out the Act allowing the Barber-Surgeons and the Physicians the corpses of Rine and any other of the felons hanging that day. Not only did the Barber-Surgeons have to pay the sheriffs and their officers nine pounds, two shillings, and six pence to recover the bodies from the Irish who tried to protect them, but a further pound and a half was required to pay the constables who protected the Surgeon's Hall that year when during the annual anatomy lecture the bodies of Rine and the others were dissected.¹ 1736 was a hard year for the doctors. 1741 was somewhat better. James Timms, born in Dublin, was hanged 18 March 1740/1 for forging a sailor's will. A "sincere Friend" wrote him as follows:

To Mr James Tims in the Cells of Newgate.

Dear Jamey -

I am sorry you take us all to be so ungrateful, as not minding that there was a Petition given in Behalf of you; but to no purpose. I have been there very often and could not get to speak to you; we shall care of your Body. Dear Jamey, as you are a Dying Man, for the small Time you have to live, Mind your Soul. Mr. Shilling, Mr. Jackson, and all your Acquaintance will be there that Day

All from your sincere Friend

John Barry

P.S. I shall write to you To-morrow and bring you a Cap.

¹Guildhall, Barber-Surgeons Company. Audit Book 1715-1785, vol. ii, MSS. 5235.

In the procession to Tyburn seven tumbrils and one mourning coach carried the twenty condemned prisoners including Timms to the gallows. Each cart in this cavalcade was escorted by a file of "Musqueteers with their Bayonets fixed to their Firelocks." At the head of the column rode two of the Light Horse with their swords drawn, followed by eight more of the Light Horse, and behind them but preceding the carts were "forty of the Foot." "In this manner, " the Ordinary tells us, "they were convey'd through a vast Multitude of People to Tyburn, some of whom notwithstanding the Guard of Soldiers were very rude and noisy, hallooing, throwing Brickbats, Mud, etc."¹ Infantry and cavalry were out in full force not so much to ensure delivery of the bodies to the surgeons as to prevent rescue attempts along the route, for on the day before the hanging being St. Patrick's day a plot in Newgate had been discovered by which the Irish and some Sussex smugglers planned to break jail. None escaped hanging. James Timms was taken away by the surgeons; neither Mr. Shilling, Mr. Jackson, nor his "sincere Friend" could prevent it.

In March 1752 was hanged Michael MacGennis for a crime which gives us as close a view of the details of saving a body from the surgeons as any cases we have recounted can. MacGennis was born in Ireland, came to London as a child, and lived there by crying milk about

¹ The Ordinary's Account, Part 1, 18 March 1740/1.

the streets and 'hustling whatever else he could come by' until he was hanged. In 1752 he was thirty-two years old, married, and the father of several children. For the rest of his story it is best to quote the Ordinary's Account in full:

He was bred a Roman Catholick, and of Course after the Priest had seen him, I could expect to have little to do with him; and tho' I did often speak to him, he had little to answer as to this, or any other part of his Life. He had been used to attend Executions and been often seen there, and to his Cost went there once too often: And, indeed, Pity it is, that such Numbers, to the Neglect of all Business, should be so fond of flocking together at these Times, or that there should be so frequent Occasions of giving them Opportunity. But to come to the Point.

This unhappy Man being at the Execution in November last, was one, amongst a many who came there in order to take care of a Body or two of the Persons executed.

At the hanging of 11 November 1751 six men were executed. Three of these were Dubliners and the fourth was from Waterford. Whether MacGennis was connected with any of these by family relation ^{or} by common membership in any of the Irish clubs, taverns, lodging houses, or night cellars of St. Giles's we cannot tell. What is clear is the fact that not only MacGennis, but "forty or fifty" others many of whom were Irish and several at least were milkmen (according to witnesses at his trial) were involved in the incident to rescue the bodies.¹ The execution,

¹
The Proceedings, 16-20 January 1752 (Part II).

was "attended by a large Number of Constables and Multitudes of People," some of whom had been there since five or six in the morning.¹ Among them was MacGennis.

They came unprovided with any Vehicle for that Purpose, and when the Bodies were cut down, the Friends scarce had thought of the Matter how to convey them away. The poor Fellow murdered had brought his Cart and Horses there, as the Custom is, to get a few Pence by letting People stand up in it to see the Execution. After it was over, Mac Gennis, and his Party, seeing the Cart near the Gallows, took it from the Driver by Force, and putting the Bodies into it, drove to Bays-Water. There they staid drinking some Time, till they thought the Mob was a little dispersed, and they might pass the more freely, the Owner being gone, as was supposed.

By-and-by they return'd towards Tyburn in Triumph, resolved against giving Way to any Opposition, and this unfortunate Man being as forward as any, has dearly paid for it. The Man was waiting, and upon their Return, for seizing hold of his Horse's Head, was treated very ill by several present; but being determined, if possible, to recover his own Cart and Horses from them, would not let the Horse's Head go, tho' much threatned. This he persisted in, and upon that Account received a Blow with a Hanger, which did his Business.

Shears, the dead cart owner, was prevented from following MacGennis to Bayswater by the mob. According to one witness of the execution "there were near a quarter of a hundred chairmen and milkmen, seemed to be all concerned in taking away the cart horses with the bodies." Ten constables followed the cart and crowd to Tower Hill where MacGennis was apprehended and taken to be committed

¹The Ordinary's Account, 11 November 1751. The Proceedings, op. cit.

to Newgate by Sir John Fielding and he had "his Business done to him four months later with sixteen others. His friends at Tyburn saw to it that he was given Christian burial.

James Hayes, also Irish, was not so lucky. He was tried before the Lord Mayor for stealing seven shillings and a penknife worth two pence from a Drury Lane shop-keeper, an old enemy.¹ In court he acted "with such unparalled Assurance as never was seen" and he had to be chained. "Notwithstanding the gentle Admonitions of the Recorder [Hayes] was scarce prevailed on to forbear an audacious Grin." In Newgate he made two attempts to escape. The Sheriffs retaliated by cutting down his body from the gallows and delivering it "to be carried in a Coach to the Surgeon of the Hospital in Lemon-street Goodman's Fields in order to be anatomized."

We recall the hanging in 1768 of James Murphy and James Duggan, the coalheavers. In returning their bodies from Tyburn to Surgeons Hall in Cripplegate, the Sheriff prudently avoided St. Giles-in-the-Fields and the Irish there by taking the corpses along Fleet Street. After

¹ The Proceedings, 19-26 February 1752. James Hayes' victim had once fixed chains to him when he was brought from Salisbury gaol on another charge. The Ordinary's Account, 23 March 1752.

they had been delivered to the anatomists, "a great number of Irish women assembled who prayed that their countrymen might live again." When the Guards arrived to quiet them, the cry of murder became widespread.¹

About one quarter of those hanged at Tyburn in the first half of the eighteenth century had been to sea in either the commercial carrying trade to the East, the South seas, and North America or in the Royal Navy. Behind the ascending curve of eighteenth century overseas ^trade statistics lay the labour of thousands of men forced into service by the press gang and the East India Company "crimps," kept in it by the cat and the lash, and who died in it from the terrors of the deep, of warfare, and of disease. "The deep sea proletariat" was concentrated in London, the largest port.² The fluctuation of trade statistics and naval war had repercussions not just in the stock quotations of the press but also in the problems of municipal order. During the winter when the fleet was idle or during periods of demobilization the gallows at Tyburn was one method by which the City of London attempted to control the riotous protests of discharged seamen. Conversely, impressment, the recruiting serjeant's promise of riches, and enlistment into sea-service

¹ The London Museum. A Collection of Prints, Broadsheets, and Biographies Relating to Criminals Executed at Tyburn. L/52.1. The Westminster Journal, 16 July 1768. See above, pp. 5^c

² Samuel Eliot Morison, The Maritime History of Massachusetts, (Boston, 1921), p. 111, for this phrase.

was a means of eighteenth century social control. The symbiosis between the criminal sanction and commercial accumulation was not without its problems. On the one hand, it caused problems to the Navy. Admiral Cavendish writing at the out-break of the War of Jenkin's Ear complained that his sailors "are Thieves, House breakers, Newgate Birds, and the very filth of London."¹ On the other hand, the defensive solidarities built among men condemned below decks revealed itself in sudden flashes of mutual defense against black-leg labour, exorbitant "cock-bawds," and least of all the surgeons.

The sailors' hatred of the surgeons did not begin or end at Tyburn. Smollett sailed as surgeon's mate on board a ship of the line to South America in 1741 and engaged in the bloody expedition to Carthagen. The historians of medicine in the eighteenth century Royal Navy find that the bitter attack Smollett levels against the surgeons in Roderick Random is justified from other sources.² In the ship's sick berth Smollett

saw about fifty miserable distempered
wretches suspended in rows, so huddled
one upon another, that not more than
fourteen inches space was allotted for

¹Quoted in Daniel A. Baugh, British Naval Administration in the Age of Walpole (1965), p. 205.

²For this and the following see Christopher Lloyd and Jack L.S. Coulter, Medicine and the Navy 1200-1900, vol. iii, (1961). During the Seven Years' War 1,512 seamen were killed in action; 133,708 died of disease or deserted. Ibid., p. 234.

each with his bed and bedding, and destitute of every convenience necessary for persons in that helpless condition.

Smollett "was much less surprised that people should die on board than that any sick person should recover." The chief killers of sailors were 'black vomit' (yellow fever), 'ague' (malaria), 'ship fever' (typhus), and the 'bloody flux' (dysentery). During the mobilization of 1739-41 three-eighths of the increased manpower deserted from, or died in, the major London hospitals contracted to the Navy. Hospitals, indeed, were treated as prisons or crimping houses; doctors and surgeons were effectively their turnkeys and keepers. Few punishments could actually be worse than those already present in these hospital conditions; so little could be done to prevent vandalism, desertion, and hospital rioting besides stripping sailors of their clothing to keep rioting from spreading out of doors. The author of one tract on the manning problems of the Navy during these years assigned to the incompetence of surgeons a chief reason of desertion.¹ Bitter experience at sea and in the navy's hospitals on shore taught sailors to avoid surgeons who contributed little to health or long life. The sailor's nick-name for a naval surgeon was "crocus"

1

The first uniforms of seamen were designed after hospital clothing for the purpose of preventing men from deserting. Christopher Lloyd, The British Seamen 1200-1860: A Social Survey (1968), p. 214. See also "A Seaman," An Infallible Project for the more effectual speedy and easy Manning of the Navy of England (1745), p. 10.

derived from "croak us" meaning to "kill us."¹

Henry Cole was a sailor and a thief. In 1729 he turned evidence against Dyer. Cole used the reward money to save Dyer from the surgeons and pay for his funeral. Cole was transported in 1733. He escaped his North American master, lived for a time with a colony of runaway slaves and then made his way back to England. He was caught and hanged in 1744. Sailors saved his body from the surgeons.² Thomas Bulker served several years at sea, a couple of them in the North American coastal trade and the others on a Lancaster man-of-war. In February 1736 he was hanged for having robbed a man of his trousers in Stepney during the previous autumn. The surgeons and their minions took his body after he was turned off at Tyburn, but it was taken from them later by a "gang of sailors."³ John Burk and Thomas Holly were bred to the sea. Burk served as a cabin-boy then in the Virginia trade, and finally after being impressed in 1738 in the Navy's Baltic operations. He was hanged in March 1748/49 for stealing a waistcoat (value two shillings) and a handkerchief (sixpence).

¹ Francis Grose, A Classical Dictionary of the Vulgar Tongue (1785), and Eric Partridge, A Dictionary of the Underworld 3rd edition, (1968), who says that "crocus" became generalized in the first half of the nineteenth century to mean any quack doctor.

² The Ordinary's Account, 8 June 1744, and The Weekly Journal, 8-15 June 1744.

³ The Ordinary's Account, 4 February 1736. The Daily Journal, 5 February 1736. The London Daily Post and General Advertiser, 5 February 1736.

Holly was bred to the coaling trade, then worked on New England merchantmen, until he was impressed to a man-of-war during the mobilization preceding the War of Jenkin's Ear. He was hunted with Burk for stealing a silk handkerchief (sixpence) and a thimble. When they were cut down from the Tree their bodies "were put into a Cart, which they had provided, and guarded away from Tyburn by a great Company of Sailors."¹ James Buchanan, a Scot, ran away from school, and boarded a ship at Newcastle which took him to Virginia and the North American coastal trade. He inherited a small amount of money which enabled him to deal in this trade himself with a small sloop but after this was taken by the French as a prize he returned to London and worked in the East Indies' trade as a common seaman. In October 1737 his ship, the "Royal Guardian," lay at anchor in the Wampoo River in China. Fellow Scottish sailors working another ship joined him in the evening. Late at night the fourth mate, well-known on board for his hot temper and severities, ordered Buchanan to begin loading goods. Buchanan refused, they quarrelled, knives were drawn, the fourth mate slain. He was tried a year later by the High Court of Admiralty at the Old Bailey, found guilty, and sentenced to hang at

¹The Ordinary's Account, 17 March 1748/49.

Execution Dock in Wapping. The Sheriffs were charged and commanded to bring a force to escort Buchanan from Newgate to the hanging site among the docks. The civil authorities of Wapping were instructed to maintain order during the hanging "with a competent and sufficient Guard."¹ Bitter was the weather at the hanging: the wind came out of the northeast, snow had begun to accumulate on the warehouse gables, and ice formed at the river's edge by the wharfs.² On the scaffold Buchanan usurped the prerogative of the Ordinary of Newgate and led the others in a psalm from the Presbyterian paraphrase and then conducted them in singing the twenty-third psalm,

Yea, though I walk through the valley of
the shadow of death, I will fear no evil:
for thou art with me; thy rod and thy
staff they comfort me.
Thou preparest a table before me in
the presence of mine enemies: thou
anointest my head with oil; my cup runneth
over.

Neither the Sheriffs and their officers nor the watch and constabulary of Wapping were strong enough to assure the delivery of the corpse to the surgeons:

some sailors got on the scaffold and endeavour'd
to cut him down; on which a Scuffle ensu'd;
but many other Sailors coming to the Assistance

¹ The Ordinary's Account, 22 December 1738. P.R.O., H.C.A. 1/57 fol. 27-31, containing the examinations taken for the trial. H.C.A. 1/31 fol. 63 contains the instructions of the High Court of Admiralty (held at the Old Bailey) to the London and Wapping civil officers.

² Guildhall, The Diary of Stephen Monteage, vol. ii, MS. 205.

of those who first made the Attempt
 he was cut down...and his Body carry'd
 off with loud Acclamations of Joy,
 accompanied by a great many Sailors.¹

Two months later rumours still circulated that Buchanan survived the ordeal and lived.²

John Masland was there that day singing the twenty-third psalm and assisting in the rescue of Buchanan. Born in the river parish of Wapping, he laboured as a seaman for most of his forty-four years in the roughest part of England's overseas' empire, the Guinea trade, carrying arms, munitions, and Birmingham wares to Africa, black slaves from Guinea to the West Indies, and sugar back to England. A slave rebellion in Jamaica caused the reduction of the ship's normal complement of officers, so Masland and the other seamen combined to mutiny against the remaining few. They failed and all that Masland retained of the experience was a hatchet scar across his face. The trade left other disfigurements upon him. No longer strong enough to bear the work he returned to the London docks where he tried to eke out enough money 'stragglings' "up and down the Town" duffing off cheap cheap spirits as smuggled French brandy in order to support

¹ The Ordinary's Account, 22 December 1738.

² The London Magazine, January 1739, p. 48, reports these rumours. There may have been some truth to them as several affidavits to the effect were made to the President of the Court, Sir Henry Penrice, according to the same account. They do not survive however in the remaining papers of the court, see H.C.A. 1/57. See also Reade's Weekly Journal, 30 December 1738 ("Buchanan surviv'd his Half-Execution... and is still living"). Also, The Craftsman, 23 December 1738.

his wife and daughter with whom he shared a single bed in a Petticoat Lane garret.¹ At Buchanan's hanging Masland was captured (this being the first time he showed himself in public after committing the offense) by his brother-in-law and hanged two years later for raping his daughter and passing to her the "foul disease."

John Lancaster was born in 1726 in Black Lion Yard, Whitechapel. He served out his apprenticeship to a velvet weaver and learned to read and write at the recently founded Methodist Charity school at the Foundry. Sarah Peters, "a lover of souls, a mother of Israel" (so Wesley described her), also taught Lancaster the rudiments of Christianity.² The skittles' ground and ale-house attracted most of his interest. With comrades he met at Bartholomew Fair he robbed the Foundry of several yards of velvet, was caught, and fled his work and the school for the sea. He returned to London after some years as a sailor, took up residence in Spitalfields, and found work for a small garret master independent only in name and actually bound by the exigencies of credit and debit to the silk factor supplying him materials. With another journeyman working the same looms Lancaster robbed his master of nineteen yards of velvet (actually belonging to the silk merchant) and sold

¹ The Ordinary's Account, 14 March 1738/39; The Proceedings, 17-20 January 1738/39.

² John Wesley, Journals, vol. ii (Everyman edition), pp. 83-90.

the piece to a Jewish fence, Life Chitty, in Houndsditch.¹
 He was caught, tried and sentenced to hang. Sarah Peters
 visited him several times in Newgate. Unable to obtain
 either a reprieve or pardon for him, she had no difficulty
 in ~~the~~ turning his attention to the Salvation of his Soul.
 Indeed, in the weeks between sentencing and hanging
 Lancaster acted as a sort of adjutant to Sarah Peters
 and with his newly recovered faith he helped her lead the
 other condemned prisoners through prayer, penitence and
 conversion.

The procession of these prisoners, ten altogether,
 from Newgate to Tyburn, was more like a revival meeting
 than a "hanging match" if we credit Wesley's account of
 it. Down Snow Hill, up High Holborn, and along the
 Tyburn Road Lancaster stood in the tumbril exhorting the
 "multitude" to prayers and penitence. He led the other
 condemned prisoners in song:

Lamb of God, whose bleeding love
 We still recall to mind,
 Send the answer from above,
 And let us mercy find.

Think on us, who think on thee,
 And every struggling soul release!
 O remember Calvary,
 And let us go in peace.

At the Tree "a solemn awe overwhelmed the whole multitude,"
 a fact to which a contingent of Foot Guards who had been

¹

The Proceedings, 7-10 September 1748. Arthur Griffiths,
The Chronicles of Newgate (1884), vol. ii, p. 116.

sent to reinforce the regular civil officers no doubt contributed.¹ Silas Told, a Methodist who replaced Sarah Peters after that year in ministering to the prisoners in the condemned cell, also rode in the carts to Tyburn. He tells us that neither he, nor Wesley, nor the Ordinary of Newgate, nor Sarah Peters were of any help in saving Lancaster's body, although by all accounts they worked considerable success in saving his soul. After the hanging Wesley could not help but detect signs of miraculous intervention in the fact that Lancaster's face was neither bloated nor disfigured. A secular agency intervened to prevent disfigurement at the hands of the surgeons.

A Company of eight sailors with truncheons in their hands, looked up to the gallows with an angry countenance, the bodies having been cut down some minutes previous to their arrival. An old woman, who sold gin, observing them to grow violent by reason of their disappointment, mildly said, 'Gentlemen, I suppose you want the man the surgeons have got?'²

They did. She directed them to Paddington where the sailors overtook the surgeon's men and rescued Lancaster. They carried his corpse triumphantly across London, through

¹ Wesley, op. cit., and The Ordinary's Account, 28 October 1748.

² Silas Told, The Life, 3rd edition (1796), pp. 63 ff.

Islington, Shoreditch, Houndsditch, and to Coverele's Fields where they left Lancaster's body on his mother's doorstep that she might attend to providing him with a fitting funeral. Lancaster was buried two days later in peace.¹

Three months later John Frimley was hanged for robbing a man of eight shillings on Hounslow Heath. As a youth he served an apprenticeship to a papermaker in Staines. He was impressed into the Royal Navy at the beginning of the war in 1738 and discharged ten years later at Portsmouth. At his hanging sailors rescued his body from the surgeons.²

In part because the evidence for each case is so sparse and in part for convenience's sake, we have described the people who fought against the surgeons at the gallows in five separate groupings. No doubt the procedure is arbitrary. The Irish for example had friends, families, comrades at work and of course had been to sea. They might (had the evidence permitted) have been as justly discussed in other contexts. But whether they acted as these particular groups or in others these were the "Scum of the People": a tailor from Essex, a country grazier, a London house carpenter, lost country relatives, sawyers, mistresses, innkeepers, market folk,

¹ Wesley, op. cit.

² The Ordinary's Account, 20 February 1748/49. The British Weekly Journal, 23 February 1748/49.

weavers, sailors and soldiers, the Irish, coal heavers, and "fellow men." They were (as far as we can tell) of a piece with the London labouring poor as a whole, heterogeneous and defying a simple classification between the criminal class and the working class. For most of the period their struggles against the surgeons were noted only in passing by the press, by the Ordinary of Newgate's Accounts, and by the Barber-Surgeons and Physicians. Rarely was their fight dangerous enough to attract serious attention. When it was, as in 1749, other issues came to play. Nevertheless, the conclusion of the Penlez Riots seriously and permanently altered the balance of forces at Tyburn.

Chapter Sixteen:

THE PENLEZ RIOTS OF 1749

"Commerce and manufacture flourished again to such a degree of increase as had never been known in the island: but this advantage was attended with an irresistible tide of luxury and excess, which flowed through all degrees of the people, breaking down all the mounds of civil policy, and opening a way for license and immorality."

Tobias Smollett,
The History of England from the Revolution to the Death of George the Second, iii (1804).

"Lancaster's corpse was saved from the surgeons in September 1748 at the height of the demobilization of the fleet following the conclusion of hostilities of the War of Jenkins' Ear. In London (as elsewhere) sailors were at their most dangerous to the civil powers during periods of demobilization. Stephen Theodore Janssen in what is perhaps the first statistical study of the relation of crime to war and peace observed:

... that the conclusion of a War; thro' very bad Policy; when we turn adrift so many thousand Men, great Numbers fall heedlessly to thieving as soon as their Pockets are empty, and are at once brought to the gallows; The wiser ones survive a while by listing with experienced Associates, by which means in a few Years, those numerous & desperate Gangs of Murderers, House-breakers, and Highway-Men have been formed, which have of late struck such a Terror within the Metropolis and 20 miles around.

Janssen showed that the average number condemned at the Old Bailey during peace time was twice that during war. The malefactors executed in London more than doubled in time of peace: in the period 1749-1755 an annual average of forty-four were hanged, the average number hanged a year dropped to twelve during the years 1756-1762, and then rose again in the period, 1763-1771 to twenty-nine. During the Seven Years' War "Business at the Old Bailey gradually diminishes to half its duration in time of Peace" when the court sat for about forty days in the year as compared to about twenty-five days a year during wartime.¹ After the

¹ Stephen Theodore Janssen, Tables of Death Sentences (1772), and re-published in most editions of John Howard, The State of Prisons in England and Wales.

demobilization of 1748-49 metropolitan disorders were great and Janssen as Sheriff of London was responsible (as we shall see) for controlling some of the consequences. Graph XXVlll, "Indictments and the Employment of Seamen in London, 1715-1755," shows the dramatic fall in the number of employed sailors after 1746 and the corresponding ~~acc~~^{ac}eleration of the number of indictments.

Between the spring of 1748 and the following winter more than forty thousand men, at least two-thirds of the Navy's war time complement, were discharged from ship and left unemployed in England.¹ "All the gaols in England," wrote Tobias Smollett, "were filled with the refuse of the army and navy, which having been dismissed at the peace, and either averse to labour, or excluded from employment, had naturally preyed upon the commonwealth." "Rapine and robbery ... domineered without intermission ever since the return of peace which was attended with a reduction of the army and navy...."² Indictments for felony in Middlesex in 1749 were higher than they had ever been in the century. And in the City of London indictments for felony and trespass reached in 1749 the third highest peak of the first half of the century.³ Of the forty-four men and women hanged that year, well over half had been to sea.⁴ Reports of thefts by sailors in the river parishes were

¹ Baugh, op. cit., p. 205.

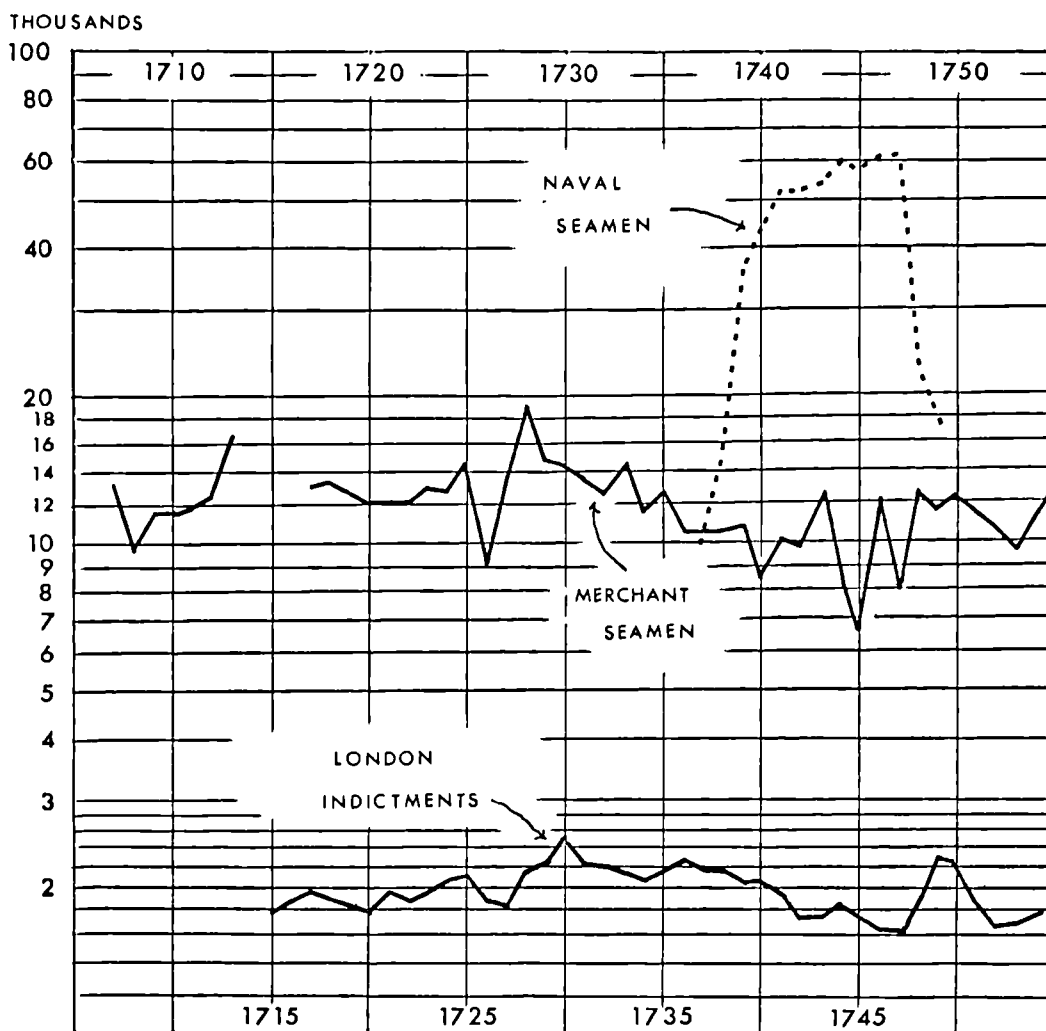
² Tobias Smollett, The History of England from the Revolution to the Death of George the Second (1804), III, pp. 294 and 317.

³ See above, pp.

⁴ The Ordinary's Account, 20 February 1748/49, 17 March 1748/49, 26 April 1749, 3 July 1749, 4 August 1749, and 18 October 1749.

GRAPH XXVIII

London Indictments and the Employment of Seamen, 1715-1750

Note to Graph

The number of naval seamen (total complements of ships in commission) is supplied in Daniel A. B. Smith, *British Naval Administration, 1688-1783*, p. 101 (reprinted in *Journal of Maritime Law and Commerce*, Vol. 1, 1970, p. 205). Ralph Davis, *The Naval Administration of England, 1688-1783*, p. 101, provides a basis for estimating the number of employed merchant seamen. An Act of 1696 (7 & 8 William III, c. 21) specified that every seaman pay sixpence a month for the maintenance of Greenwich Hospital for disabled seamen. The accounts of the Receiver-General of those monies are summarized on p. 339. By dividing the annual revenues for London by twelve and multiplying them by forty (the accounts are in pounds sterling) we can estimate the number of employed merchant seamen.

scattered throughout the newspapers during that summer.¹ Some seamen fell "heedlessly to thieving;" others like Richard Holland and John Bonen illustrate the course taken by "the Wiser ones." Richard Holland was born and buried in the riverside parish, St. George's-in-the-East. Two months after he was bound an apprentice to a waterman he was taken up by a press gang. He served the navy for twelve years and was discharged in 1749. Between then and the time of his own hanging in 29 July 1751 he made it a practise of robbing less wary sailors as they left ship in Chatham or Gravesend. As a professional thief he knew half a dozen of those 'turned off' at Tyburn in the two years since his return to London.² John Bonen's career as a London thief was shorter. Born in Bristol, discharged from the navy in the summer of 1748, caught by the Surrey magistracy in the Borough in July 1749, he had subsisted during the previous year entirely upon what he could 'raise upon the Publick.' At "King David Land," a public house in Ratcliff highway, he met one Parker who promised Bonen "he would Put him in a Method of Getting Money." During the next twelve months he used four fences (three of whom were women working out of bawdy houses) and fifteen

¹ A Houndsditch brewer, a Wapping tailor, and "gentlemen" in Peckham and Southward fell victims to groups of sailors. See, The Worcester Journal, 6 July 1749, 27 July 1749, 3 August 1749, and 19 October 1749.

² The Ordinary's Account, 29 July 1751; The Proceedings, 3-6 July 1751; and Tower Hamlets Central Library. Day Book of Burials. St. George's-in-the-East, 1747-1767. S/128.

other friends (three of whom had been former ship mates) with whom he went thieving and against whom he would depose in August 1749 by becoming King's Evidence in a successful attempt to save his own neck.¹

As some of the thousands of unemployed sailors discharged in London "naturally preyed upon the commonwealth," so many of the landmen and landswomen of the commonwealth preyed upon them. In thieve's cant the sailor was known as an "otter" because he is "an amphibious Creature ... affording much Sport in Hunting."² When the discharged sailor left ship, when he attended the Pay Office for the redemption of his pay tickets, when he searched through the city for lodgings or employment, or when flush with his wages he sought some relief from the months at sea in drink, gaming and sex he found at ^{every} turn the friendly arm at his elbow or the threatening hand on his shoulder. The "otter's" natural enemies were the bum bailiff, the pickpocket, the sharper, pander and bawd. If he received his wages on deck the sailors would

hurry down to their respective berths, redeem their honour with their several ladies and [bum boat] men, and then they turn their thoughts to the Jew pedlars, who are ranged around the decks and on the hatchway gratings, in fact, the ship is covered with them. They are furnished with every article that will rig out a sailor, never omitting a fine large watch and appendages, all warranted, and with which many

¹ G.L.C.R.O. (Mddx. Div.), Sessions Papers, MJ/SP/131. "The Information of John Bonen, 20 July 1751."

² Anon., A New Canting Dictionary (1725).

an honest tar has been taken in. (1)

In March 1749 no sooner had several sailors been paid off at Chatham that "persons dressed like gentlemen" robbed them of fifty-one guineas. On shore with gold in his pocket the sailor was an easy tarket for practised hunters like Richard Holland or John Bonen. More devious enemies lurked about the Navy Office waiting for the sailor to redeem his pay tickets for hard specie. These were bailiffs and their serjeants, agents of the debtors' courts. The London poor loathed them. In cant and slang they were Philistines, Moabites, Janizaries, catch-polls, setters, shoulder-clappers, bandogs, and bums.² At the end of July 1749 a bailiff and his assistant dogged a sailor at this office but were surrounded by sailors and so beaten that "It's thought he can't recover." Again a month later two bailiffs and their assistants took "severe usage from several Sailors" at the Navy Office.³ Other parasites on the seamen like Richard Butler, a lodging house keeper in Plymouth and London, made it their "Business to defraud the brave honest Tar" by forging sailor's wills, reporting them dead, and collecting the back pay.⁴

¹ "Jack Nastyface," Nautical Economy (1836), 63, quoted in Christopher Lloyd, The British Seaman (1968), 228. See also Michael Ryan, Prostitution in London (1839), 190.

² Anon., The New Canting Dictionary (1725).

³ The Worcester Journal, 2 March 1748/49, 27 July 1749, and 24 August 1749.

⁴ The Ordinary's Account, 23 March 1751, and The Proceedings, 1-4 March 1751. Cases of this sort abounded after 1748; see for example The Proceedings, 16-20 January 1752, when four men were condemned for the offense.

To "go a Molling" was perhaps the sailor's first pleasure on shore,
and to be jilted his first cheat.

Now to Temple Bar, I met a madam
She was drest so fine.
She asked me to go with her
To drink a glass or two of wine.
Up an alley we did sally
Rumly in a ken did Bundle
Then we had a pleasant shine.

But in the morning when I woke
Oh, what a scene of misery shown
The Doxy gone and left me naked,
Mizzled off with all my clothes.
Than I called, roar'd and bawled
Rap'd the ragged Blanket round me
In this plight then home I goes.

* * * *

Young man take warning, night and moring,
Lest like me you go a Molling
You the same sad fate may share. (1)

The methods of jilting the sailor were as various as the types of prostitution. Anne Baker, a "servant & guest" in several disorderly houses, operated actively on the street. She met a seafaring man at dusk who treated her to drinks in the taverns around the Old Bailey and Fleet Market. Later she led him past Chick Lane into the maze of courts and alleys between the Smithfield sheep pens and the Fleet Ditch "where the prisoner by a frightful whistle which she blew, had him surrounded in a moment." She was hanged.² In Hanging Sword Alley off Fleet Street,

¹ B.M. ADD. MSS. 27,825 (Place Collection), Volume entitled Grossness, fol. 150.

² The Ordinary's Account, 28 March 1764, and The Proceedings, 22-25 February 1764.

another physically obscure but morally notorious alley, Thomas Meers, a "mariner," was "decoyed [as he deposed] by a Woman into a House" where he lay with her "till the next Morning & upon getting up & searching his Pockets, found he had been robbed ... of five shillings, and that a pair of Silver Shoe-Buckles had been taken out of his Shoes."¹ The courts and alleyways off Drury Lane, Fleet Street and the Strand provided the center of eighteenth century London prostitution.² Six years earlier in 1744 two of the parishes embracing this area were known for an exemplary constabulary which had succeeded in suppressing "infamous" and "bad" houses.³ The success was temporary, for one observer in

¹ G.L.C.R.O. (Mddx. Div.), Sessions Papers. MJ/SP/48. "The Information of Thomas Meers, 10 December 1748." See also, MJ/SP/2. "The Information of Bartholomew Wolk, 29 October 1748."

² Here as elsewhere I rely on what is still the best study of 18th century London prostitution, Ivan Block, Sexual Life in England, trans. William H. Forstern, (1958).

³ See the essay in the Ordinary's Account, 21 October 1743. The following year Lord Carteret ordered the Chairman of the Middlesex Sessions of the Peace to hold frequent petty sessions to suppress "Night Houses or Cellars," Tippling [and] common Gaming Houses." P.R.O. S.P. 36. Volume 64, fol. 310, "Letter of Lord Carteret, 26 September 1744." The Chairman of the Sessions ordered the High and Petty constables to take up all "disorderly" persons, see P.R.O. S.P. 36/64, fols. 339 and 392, and G.L.C.R.O. (Mddx. Div.). Westminster Sessions Papers. WJ/SP/94, "Rough Minutes, 28 September 1744." Three years later Lord Chesterfield wrote Thomas Burdus, Chairman of the Westminster Sessions of the Peace, ordering him to hold frequent petty sessions against "night houses." P.R.O. S.P. 44. Vol. 85. Fols 6-24, "Letter of Lord Chesterfield to Thomas Burdus, 1 September 1747."

October 1749 estimated that these parishes and Covent Garden, Savoy, and St. Mary le Strand contained more than six hundred bawdy houses.¹ Eighteen months later "A citizen of London" described the interlocking mesh of conflict, common interest and compromise among the panders, thieves, informers and magistrates of the Strand as the worst in London.² The sailors directed their wrath less against the "buttocks," "doxies," "froes," "blowens," "trulls," "queans" and "mabs" than against their employers, the pimps and bawds. After the demobilization of 1763 the sailors actually protected the women from the efforts of the magistracy to lock them up. In the Penlez Riots of 1749 the sailors directed their attacks against the bawdy houses themselves and their owners while leaving the women alone. These riots led the government to the rash prosecution (or victimization as its critics would say) of one rioter whose fate became an issue in the hotly contested Westminster election of that year and whose hanging caused Sheriff Janssen to alter significantly the balance of forces at Tyburn.³

¹ The Penny Post, Or the Morning Advertiser, 3-5 July 1749.

² "A Citizen of London," The Vices of the Cities of London and Westminster (Dublin, 1751), 13-14.

³ Brief accounts of these riots may be found in William Thornton, History of Westminster (1784), 291-293; Gilbert Armitage, The History of the Bow Street Runners 1729-1829 (1932), 43-46; Patrick Pringle, Hue and Cry: The Birth of the British Police (1955), 83-87; Anthony Babington, A House on Bow Street: Crime and the Magistracy in London, 1740-1881 (1969), 81-93; Hugh Phillips Mid-Georgian London (1955), 182-183; and Georges Rudé, Hanoverian London 1714-1808 (1971), 184.

On the death of his father, an Exeter clergyman, Bosavern Penlez came to London in 1747. He worked for sixteen months as journeyman barber and peruke maker. In April 1749 he left this work to become a gentleman's servant taking up lodgings in Wych Street only a few steps from the Strand where the riots of which he was to be the only casualty started.¹ Penlez had nothing to do with the riot disturbances until they had almost run their course.

On Friday evening, 30 June 1749, two sailors complained to one Owen, the keeper of "The Crown," that they had been robbed of thirty guineas, two Moidores, and their watches. Instead of receiving satisfaction from the bawdy house keeper they were given "foul Language and Blows." "Accordingly the honest Tar denounc'd Vengeance

¹ There are two short biographies of Penlez in The Ordinary's Account, 18 October 1749, and in Select Trials for Murder ...at the Sessions-House in the Old Bailey (1764), IV, 272 et seq.

to his House, and repair'd immediately to his Shipmates and brother Sailors."¹ On Saturday evening their shipmates from the "Grafton" man-of-war invaded "The Crown," removed its furniture, bedding, and pillows into the Strand to build a bonfire. They "suffer'd no Injury to be done to the poor Damsels." After the demolition of the contents of the first house was completed, General Campbell at Somerset House, a few hundred yards away, summoned the troops who, "loiter'd about, rang'd themselves on both Sides the Street, or stood very compos'd round the Remains of the Bonfire, as if that had been what they were sent to Guard, and not the Bawdy-Houses." Other troops from the Tilt Yard were called in time to prevent the sailors from burning down another bawdy house, "The Bunch of Grapes," owned by Lord Stanhope. By three in the morning the sailors were dispersed.

¹ "A Gentleman not Concern'd," The Case of the Unfortunate Bosavern Penlez, 2nd edition (1750), 17-22. I have relied most heavily on this pamphlet for a narrative of the riots. It is an attack on the frankly polemical and self-interested account of Henry Fielding, A True State of the Case of Bosavern Penlez (1749), which however remains invaluable because it reprints the examinations and depositions that Fielding took on 4 July. The Remembrancer, 8 July 1749, The London Evening Post, 1-4 July 1749, and The Worcester Journal, 6 July 1749 have relatively detailed accounts. Written evidence submitted for the trials at the Old Bailey survives for the 18th century only in patches, and the summer and autumn 1749 unfortunately is not one of them. See G.L.C.R.O. (Mddx. Div.), Westminster Sessions Papers, WJ/SP (1749), and Middlesex Sessions Papers MJ/SP (1749); and also Lond, Corp. R.P., Sessions Papers (1749). Although the trial conducted at the expense of the Crown (see Bedford's Letter to Sharpe, 6 July 1749, P.R.O., S.P. 44/185 fol. 152), the Treasury Solicitor's papers which usually comprise Crown briefs contain nothing on the case, see P.R.O., T.S. 11, vols. 864 (1751), 996 (1751), and 926 (1750). The muster lists for the "Duke of Grafton" are missing for the summer of 1749, see P.R.O., Adm. 33/350-383.

On Sunday, 2 July, at nine o'clock in the evening four hundred sailors again assembled at Temple Bar and with hand bells ringing swung down the Strand "threatening that they would pull down all Bawdy-Houses." Lord Stanhope "had Reason to fear that the said Mob would come and demolish his House," as the High Constable of Holborn Division, Saunders Welsh, later testified. The fear was justified; by midnight "The Bunch of Grapes" was burnt to the ground. The sailors then turned to "The Star" off the Strand on Devereux Court only a few yards from Temple Bar. Its previous keeper had been hanged for a highway robbery and its present keeper for six years, Peter Wood, was held in ill fame by the parish. Several informations had been laid against him as a disorderly housekeeper and he had paid at least once a twenty pound fine for re-tailing liquors without a license.¹ By early morning the crowd had attracted several landsmen, mostly neighbours like Bosavern Penlez who lived across the street from the "Star," but others were said to have been there too. A nameless "gentleman" who (it was said) inspired and paid the mob to take apart "The Star" whose windows, shutters, panes, sashes, furniture, pillows, -bedding, and drapes were either smashed or fired. A woollen draper and burgess of the City of Westminster, Mr. Wilson, applied to Saunders Welsh for troops from the Tilt Yard, and they arrived drums beating to disperse the mob late in the night of 2-3 July.

Monday morning, the third day of disorders, the crowds began to as-

¹ Select Trials, IV, 272.

semble again in the Strand, and at the same time Henry Fielding, the Chairman of the Westminster Quarter Sessions, returned to London from a visit away and to a difficult situation.¹ Not only had a slight incident been allowed to develop to a point where only the military could suppress the disorder and this owing in part to the absence of early, decisive action by the magistracy, but by Monday morning the attacks on bawdy houses spread to other parts of the city and began to include attacks upon the constabulary too. The authorities had only excacerbated the situation, so on Monday the bawdy house keepers took unilateral action:

Great Diligence was used all Monday in removing the Goods &c. of certain Houses in Covent Garden, Bridges Street, some courts in Fleet Street, Gun-Powder Alley King's Head Court, Shoe Lane & Old Bailey for fear of their being made the scenes of succeeding Representations. (2)

Nevertheless, the mobs at the Old Bailey, mainly sailors, broke the windows and attempted to fire the bawdy houses in the neighbourhood of the court. The beadle of the liberty of the Dutchy of Lancaster had the windows of his house broken and his life threatened by sailors who attempted to rescue a rioter whom he had taken during the previous day.

¹ Brief accounts of Fielding's role may be found in Patrick Pringle, Hue and Cry: The Story of Henry and John Fielding and their Bow Street Runners (1955), F. Homes Dudden, Henry Fielding: His Life, Works and Times, 3 vols. (1952), pp. 745-52, and Wilbur L. Cross, The History of Henry Fielding, 3 vols. (New Haven 1918), i, pp. 223-249.

² The Remembrancer, 8 July 1749. See also The Worcester Journal, 6 July 1749, and the London Evening Post, 1-4 July 1749.

At Fielding's office in Bow Street a mob assembled "in a riotous and tumultuous Manner" and successfully rescued one prisoner. The constable of St. George the Martyr deposed that despite an armed escort it was with "the utmost Difficulty that the ... Prisoners were conveyed in Coaches through the Streets, the Mob ... crowding towards the Coach Doors." On hearing that the sailors planned to continue "their Work" that night, Fielding sent Welsh to the Secretary of War for troops and by noon a detachment of sixty stood ready at Temple Bar and others patrolled the Strand during the day.¹

Fielding's decision to continue the policy of suppressing the disorders by recourse to the military was ill-judged and showed signs of evident panic in a situation where moderate action such as the effective mobilization of the civil officers of neighbouring parishes (as would happen in October) or the exemplary punishment of a bawdy house keeper (as would happen in August) would have served his purpose at least as well. His pamphlet published in November took pains to show that the situation had deteriorated sufficiently to justify this decision, but the evidence adduced fails to do this. Saunders Welsh convinced Fielding that the house of the bankers, Snow and Denne, standing adjacent to "The Star" was in danger, but whether the danger issued from the ~~flames~~ next door or from the designs of the sailors in the Strand, Welsh did not say. Fielding drew his own conclusion:

¹ The Remembrancer, 8 July 1749, and Fielding, A True State of the Case of Bosavern Penlez, 30-39.

What must have been the Consequence of exposing a Banker's Shop to the Greediness of the Rabble? Or what might we have reasonably apprehended from a Mob encouraged by such a Booty and made desperate by such atrocious Guilt? ... The Cry against Bawdy-Houses might have been easily converted into an Out-cry of a very different Nature, and Goldsmiths might have been considered to be as great a Nuisance to the Public as Whores [*Italics Added*]. (1)

"The Clamour against Bawdy-Houses was ... a bare Pretence only," he wrote. The mob consisted of "Thieves under the Pretence of Reformation."² No other evidence, not even the examinations that Fielding publishes in his pamphlet, corroborates these assertions. All other accounts say that sailors comprised the majority of the crowds. One observer went to considerable length to refute Fielding's view. He stressed the single-mindedness of purpose of the sailors. A boy who stole a gilt cage from "The Crown" was discovered carrying it off and the sailors took it from him to throw on the fire. "Nothing in short was imbezzled or diverted."³ Certainly the actions of the parishioners of St. Clements Danes belie Fielding's picture of thieves out to pillage and loot. The matron of cheesemonger's shop clapped her hands as the

¹ Fielding, op. cit., 48.

² Ibid., 50. Leon Radzinowicz in A History of the English Criminal Law and Its Administration from 1750 (1948), I, 400, accepts Fielding's characterization of the rioters without criticism: they were, he writes, "an unruly mob always ready to take advantage of any incident to create disorder and endanger public safety."

³ "A Gentleman not Concern'd," op. cit., p. 22.

"Bunch of Grapes" was razed. "A Gentleman not Concern'd" directly contradicts Fielding's view:

As to the Neighbours, who were at their Doors and Windows, seeing the Whole without the least Concern or Alarm, there was not probably one of them who, though as good and as loyal Subjects as any his Majesty has, and as well affected to the Peace and Quiet of his Government, imagin'd or dream'd there was any Spirit so Sedition or riotous Designs, in all these Proceedings, beyond the open and expressed Intention of destroying those obnoxious Houses. (1)

One observer in St. Clement Danes was quoted as saying that "he hop'd to see [the sailors] all hang'd at Tyburn; for, G-d Z--ds who knows whose House they may call a Bawdy-House next, and down with it,¹ but he "lay under Suspicion of keeping no better a House than he should do."² For a time during Monday Fielding believed that four hundred sailors had gathered at Tower Hill to raid the armoury in preparation to launching an insurrection. It is true that on Tuesday sailors assembled in Lemon Street, Goodman's Fields, to break the windows and to burn down reputed bawdy houses, but they were dispersed without calling on the military.³ The only troops deployed at that end of town were a detachment of grenadiers sent to the Navy Pay Office, off Tower Hill, to guard

¹ Ibid., p. 19.

² Ibid., p. 22-23.

³ The Penny-Post, Or the Morning Advertiser, 5-7 July 1749, and The Worcester Journal, 13 July 1749.

a convoy carrying "His Majesty's Treasure" to Portsmouth."¹ Neither the course of events nor the evidence of other sources bears out Fielding's contention that the rioters were "thieves" bent on general pillage or insurrection. He sought some justification for at least the former point in his policy to the arrested rioters one of whom was caught with stolen property from "The Star." An energetic prosecution of this case would make some amends for Fielding's precipitous actions by seeming to confirm the rapacious intentions of the rioters.

On Monday morning two watchmen, one a shoemaker of the Liberty of the Rolls, the other a labourer of St. Dunstan in the West, apprehended Bosavern Penlez asleep in Bell Yard (off Carey Street and some distance from "The Star") and found stuffed under his shirt ten laced caps, five plain handkerchiefs, five plain and one laced apron. Bosavern Penlez was taken to the Watch house where the constable of the Liberty of the Rolls was not able to find a witness to swear against him, so the following morning (Tuesday) Penlez was taken to Bow Street to be examined by Justice Fielding.

Peter Wood claimed at this examination and again subsequently in September at the trial that Penlez had simply stolen the laundry during the gutting of "The Star." Wood's oath did not mean much. John Nixon, the collector of the scavenger's rate in the parish, said of Wood and his wife, "for my own Part I would not hang a Cat or a Dog upon their Evi-

¹ P.R.O., W.O. 4. Outletters. Vol. 46, fol. 256.

dence."¹ One of the officers apprehending Penlez claimed that he took the laundry only after having been himself robbed of fifteen shillings in the house.² By all accounts Penlez was drunk. He began drinking early in the morning and had wandered from one tavern to another along Temple Bar, the Strand and Somerset Stairs, until late Sunday night he fell in with the mob at "The Star." By his own account he could not remember how the laundry got into his hands. At any rate he was one of seven arrested during the riots. One of these escaped, one died in prison, two had their indictments found ignoramus, one was acquitted, one pardoned, and one (Penlez) hanged.³ John Wilson and Penlez were tried under the Riot Act for "being feloniously and riotously assembled to the Disturbance of the public Peace," despite the fact that there remains considerable doubt as to whether the Act was ever read, as by law it must be if prosecutions were to ensue under it.⁴ The jury found them guilty on 14 September and the justices pronounced sentence of death as they were bound to by law. Nevertheless the court, at the jury's instiga-

¹ Select Trials, IV, 272.

² The Proceedings, 6-14 September 1749, and Fielding, op. cit., 40 et seq. The story that Penlez was first robbed in "The Star" was mentioned by the watchman of St. Dunstan's-in-the-West and not revived.

³ P.R.O., S.P.44. Entry Books. Vol. 85, fol. 152, in which the Secretary of State, the Duke of Bedford, directs Sharpe to prosecute them under the Riot Act. The Worcester Journal, 6 July 1749, says Fielding committed nine to Newgate under this Act.

⁴ The Proceedings, 6-14 September 1749.

tion, "recommended (them) to mercy."

Hundreds petitioned the King to pardon the two prisoners. The twelve jurors of Middlesex petitioned not just upon grounds of "Humanity and Compassion," but also on the grounds that Peter Wood's testimony at the trial was untrustworthy as later became clear by "universal Representation." Only the "fatal Neglect" of the Court or the defense to produce witnesses contradicting Wood's evidence led to the verdict guilty.¹ In the first week of October eighty-seven of the parishioners of St. Clement Danes petitioned the Duke of Newcastle to intercede for a pardon. A week later six hundred petitioners from St. Paul's, Covent Garden, the Savoy and St. Mary le Strand begged the King to demonstrate his royal clemency. At about this time "several Gentlemen of Rank and Credit, accompany'd by a Reverend Divine, went in a decent solemn Procession, all drest in Black, to deprecate the Execution of the Sentence." On the eve of the hanging other gentlemen waited on His Majesty at Kensington to petition for a respite of sentence.² Partial success greeted these appeals. Wilson's sentence was respited on the evening before he was to have hanged, although according to Fielding it was not the pressure of many petitions which caused this but the intercession of

¹ P.R.O., S.P.35. State Papers. Volume 29, Part II, fol. 52.

² The Worcester Journal, 5 & 19 October 1749, and The Penny-Post, Or the Morning Advertiser, 2-4 October 1749; "A Gentleman not Concern'd," op. cit., 51.

"a noble Person in great Power."¹ Penlez was not pardoned, and in Fielding's opinion the decisive fact for applying the rigor of the law to Penlez was the he, unlike all the others, was taken with stolen goods in his possession.

Of 400 Persons concerned in the same
Attempt he only suffer'd
Tho' neither Principal nor Contriver. (2)

Such were the lines that concluded an inscription which the parishioners of St. Clement's proposed to place on his tomb. This ~~d~~^eep, parochial opposition to the hanging of Penlez arose not only from the view that his role in the riots was incidental, but also from some sympathy with the object of the sailors' attack. A month after the riots concluded the Middlesex Quarter Sessions sentenced a woman to whipping at the cart's tail along the Strand and back for keeping a disorderly house there.³ We have already seen that St. Clement Danes had at one time a reputation for vigilance against such houses, and that the government only a few years earlier had caused petty sessions to be held in order to suppress them.

In the days before the rioting began Fielding's own work as a magistrate concerned the suppression of bawdy houses and the reduction of the

¹ Fielding, op. cit., 53.

² The Gentleman's Magazine, October 1749. Penlez engaged "in an Undertaking which the most partial cannot defend, /And yet the least Candid must excuse."

³ The Remembrancer, 15 July 1749.

"profligate Lewdness" which he thought characterized his age. Later he would be accused of complicity with bawds "by laying them under annual or casual contributions."¹ An author of a letter to the London Magazine thought the accusation was confirmed by the fact that in An Enquiry into the Causes of the Late Incrases of Robbers (1751) Fielding failed to mention prostitution or brothel house keeping as a cause of London crime. Certainly both some of those preceding and some following him in this office made tidy sums from such types of speculation and extortion. Only a few months after Penlez was hanged the Middlesex bench petitioned the Lord Chancellor against a justice on the east end of town for keeping disreputable houses in Goodmans Fields.² Thomas Hurnall, one of the

¹ The London Magazine, March 1751, as quoted in Lighting and Watchmen, a collection of press clippings presented by Robert A. Leckie to the London Museum, L57.13.

² W.J. Hardy and W. Le Hardy, A Calendar of the Middlesex Sessions Books and Orders of Court 1639-1751, XII, 110, 123, and 130-136. In January 1750 the justices prepared a lengthy memorandum to the Lord Chancellor against another member of the bench, Justice Broadhead, for illegal extraction of fees, Ibid., 81-82, 87, and 94-99. For earlier and similiar petitions of the Court against various of their members see ibid., cii, 42; xiv, 98, 103, 105 in which a justice actually obstructed the peace officers from raiding a disorderly house in 1728. At about the same time the court heard that "A Middlesex Justice, being already, by such kind of mean, irregular and illegal practises, become a word of contempt," W.J. Hardy and W. Le Hardy, Middlesex County Records. Reports (1928), 78. Francis Place remembers in his 'Autobiography' some of the "notorious and infamous" practises of Justice Hyde in Westminster, a magistrate who worked bawds, thieves, and the press gang against one another for his own profit, B.M., ADD. MSS. 35,142, fols. 55-70. According to Fielding his predecessor, Sir Thomas Deveil boasted that he made thousands of pounds a year in office, see the 'Introduction,' The Journal of a Voyage to Lisbon (1754). On London "trading justices" see Leon Radzinowicz, op. cit. and S. & B. Webb, English Local Government: The Parish and the County (1906), i, 326-327.

City's Marshalls (1747-1758), who took a prominent position in the procession guarding Penlez to his hanging, was discharged from office for extorting victuallers.¹ There is however no reason to believe that Fielding added to his income by accepting "the dirtiest money on earth." Fielding suffered because he had not. His behavior on 3 July was not influenced therefore by a material connection with Strand victuallers, or bawdy house keepers. Nine days before the Penlez Riots Fielding took the lead in a case similiar to the sort which touched off the rioting. He took evidence from John Lambert:

who being upon Oath Says that between eight and Nine of the Clock last Night he was pickt up by a person now present who calls herself Ann Baldwin... in Drum Alley in Drury Lane who Carryed him into a house where they had some Liquor, Says that Baldwin...asked this Informt. what it was a Clock, Upon which he pulled it out his Watch in order to tell her, at which time she feloniously and forcibly Snatched it out of his hand and run away with the Same (2)

Only two days before the riots began Fielding as Chairman of the Westminster Sessions delivered a charge to the Grand Jury in which he called their attention to several misdemeanors (which it was their duty to pre-

¹ Lond, Corp. R.O., "History of the City Marshalls," MSS. 134-135, fol. 169.

² G.L.C.R.O. (Mddx. Div.), Session Papers, "The Information of John Lambert, 22 June 1749," MJ/SP/128. Fielding's work as a magistrate before the riots (as after them) was not primarily directed against "profligate Lewdness." On 22 June he took several other informations about the theft of a watch (MJ/SP/120). The surviving evidence indicates that most of his time was spent after his election as Chairman of the Sessions (12 May 1749) in the investigation of a corrupt coal merchandizing ring off the Strand (MJ/SP/97, 98, 122, and 134).

sent) and "particularly of such as do in a more especial Manner infest the Public at this Time." To the first of these, "profligate Lewdness," he devoted more than half of his attention. Profligacy, he argued, debilitates the body, endangers the soul, and wastes livelihoods. It corrupts youth, destroys marriages, and threatens future generations. He cited the legal authorities, Lord Coke, Lambard, Pulton and Popham to prove that it was a crime and recalled "the exceeding Wrath of God against the Children of Israel for their Fornication with the Daughters of Moab" to prove it a sin. In a note of caution he reminded the Grand Jury that:

To eradicate this Vice [bawdy houses] out of Society, however it may be the Wish of sober and good Men, is, perhaps, and impossible Attempt; but to check its Progress, and to suppress the open and more profligate Practice of it, is within the Power of the Magistrate, and it is his Duty. (1)

Fielding may have been reluctant to have recalled these words during the course of the next few days. Certainly when he came to write of the riots in November a martial spirit replaces the reformer's, and we hear less of the dangers of "profligate Lewdness" than of the possibilities of insurrection and general rapine. It appeared that the magistrate's duty

¹ Henry Fielding, A Charge Delivered to the Grand Jury at the Sessions of the Peace Held for the City and Liberty of Westminster (1749), p. 49. This was not the only cause of potential embarrassment to the inexperienced magistrate (he was made a magistrate in December 1748), for it was about this time that four well-known house-breakers robbed a merchant whose shop stood opposite Fielding's office in Bow Street. See, G.L.C.R.O. (Mddx. Div.), Sessions Papers, MJ/SP/131, "The Information of John Bonen, 20 July 1749.

lay less in bringing down bawdy houses than in keeping them standing. Indeed where in July he quotes Coke against adultery and fornication, in November he quotes Hale to argue that the pulling down of bawdy houses is high treason. In July Fielding had nothing to lose, but in November not only did he have his own actions to defend but these and the case of Bosavern Penlez had become an issue in the Westminster election. The incident and Fielding's handling of it threatened to combine the grievances of the Opposition against the standing army, corruption, and the Riot Act.

One person who failed to support the mounting campaign to pardon Penlez was a Member of Parliament for Westminster, Lord Trentham. When he was appointed a Commissioner of the Admiralty later in the summer he was obliged to re-submit his candidacy to the "independent" scot and lot electors of Westminster.¹ During the polling which began on 22 November (more than a month after Penlez was hanged) "Penley's Ghost" came back to haunt Trentham, the government's candidate, in the

¹ Tobias Smollett, The History of England from the Revolution to the Death of George the Second (1804), III, 289 et seq. contains along narrative of the ~~George~~ election and the subsequent disputes to which it gave rise. A modern but brief account is contained in Georges Rudé, Hanoverian London 1714-1804 (1971), 159-161. The definitive social analysis of the voting and a suggestive reconstruction of Westminster politics is found in Nicholas Rogers, "Aristocratic Clientage, Trade and Independency: A Social Study of the Westminster Elections of 1741-1751," Past & Present.

form of nightly, candle-lit processions winding through the streets of St. Clements led by "Penlez" shrouded in his coffin.¹ Opposition propaganda produced acrostics signed by Penlez, suggested that Peter Wood campaigned for Trentham, and claimed that Penlez rose from the dead to vote for Sir George Vandeput, the Opposition's candidate. It parodied Trentham's role during the campaign for a pardon in "Peg

Trim Tram's Sorrowful LAMENTATION,"

Poor Penlez I might have saved,
 But I did refuse the same
 Tho' it were so justly craved,
 By great Numbers of good Fame.
 But, alas! it is too late, Sirs,
 And I can't recall the Time,
 Which has almost craz'd me Pate, Sirs,
 For I own it a great Crime.
 Mark the People, how they're rouzed,
 Like to Lions in their Dens;
 Mostly to Sir George espoused,
 And asperse me with their Pens. (2)

Trentham sought to deny these accusations in a handbill saying that he

¹ Sir Thomas Robinson wrote the Duke of Richmond (owner of some Westminster properties), 4 December 1749, "Penley's Ghost (wch they have carryed about in Triumph & surely a high insulet on Government) has raised more People to vote for St. Clems. than there are Houses in the Parish." And again, 9 January 1750, "I think in all future elections the power of the Court is weakened ... my reason is, that you have now opened a door to about 1500 of a lower class of People than ever Voted before, & who will be influenced from popular Cryes or Caprice or Money, for when we see what a French Play and Penley's Ghost has done at this juncture, can any Juncture be without Scarecrow of such base materials." West Sussex R.O. (Chichester), Goodwood MSS. 51, fo. 60 & 75.

² Anon., T--t--m and V--d--t. A Collection of the Advertisements and Hand-bills, Serious, Satyrical and Humourous Published on both Sides during the Election ... (Dublin, 1749), p. 39.

had no role in the prosecution of Penlez. Trentham's brother-in-law, the Duke of Bedford and largest landholder of Covent Garden, printed about a quarter of a million squibs, broadsides and handbills in support of the Government's candidate.¹ As Secretary of State (1748-1751), Bedford may easily have prevented Penlez from receiving a pardon.

The election was said to have been one of the most expensive that the Government had experienced.² The electoral management of Bedford and Trentham ("bribery, threats and compulsions") was thought to have been especially "scandalous and base" even by those without a direct interest in the election.³ Ninety percent of the Opposition voters were tradesmen and shopkeepers in the provisioning, and outfitting trades. These were concentrated especially along the Strand. On the other hand more than nine tenths (76 out of 83) of the magistrates polled voted for Trentham.⁴ Fielding who owed his seat on the Westminster bench to his friends in the Pehlham administration supported Trentham to the extent of taking depositions in Bow Street which attempted to discredit the allegations of Opposition propaganda.⁵ Fielding's

¹ Rogers, op. cit. The figure is derived from the printers' bills at the Bedford Estate Office.

² Joseph Grego, A History of Parliamentary Elections and Electioneering (1886), 121.

³ Grove to Crimston, 5 December 1749. H.M.C. DuCane MSS (1905), 203-204.

⁴ Rogers, op. cit.

⁵ Anon., T--t--m and V--d--t. (1749), p. 30, contains one of these slightly different

energetic prosecution of Penlez and Trentham's failure to intercede to acquire a pardon for him clearly implicated the administration in the sorry affair. Penlez hanged for stealing the ruffles of a cock bawd. But he was also hanged so that the Government by the severity of its retribution could lend support to its characterization of the riots and to the decision to rely upon the military to suppress it, as if the seriousness of the punishment determined the gravity of the crime. As it happened the actual hanging demonstrated the opposite. Sheriff Janssen in marked departure from the policy followed in July, showed that threatening crowds could be handled quite differently.¹

The "Tyburn Fair" at which Penlez and fourteen others were hanged was fraught with danger. Rescues of rioters from the Bow Street Office had been attempted the previous July and in the case of one successful. Crowds had gathered menacingly at the Old Bailey to protest the imprisonment of other rioting sailors. In late September three weeks before the hanging some of the condemned prisoners sawed through their chains with tools smuggled into them by friends and attempted to break jail. Less than a week before the hanging on 12 October it was reported "that the Convicts under Sentence of Death in Newgate, having got a Quantity of Gunpowder, Chips and other Combustibles, convey'd to them, design'd to attempt an Escape, by Setting Fire to, or blowing up

¹ A ^{similar} confluence of events occurred in the disputed Oxford election of 1754 when the University was prevented by the press of the election from proceeding against rioters who carried away bodies from the surgeons, see Jackson's Oxford Journal, 4 May 1754.

Part of the said Gaol." The plan was discovered and its perpetrators placed under heavy guard and chained to the floor.¹ All accounts of the unusually large crowd watching in the street that day stress the prominence of sailors. At the hanging gathered "some thousands of sailors [appearing] armed with bludgeons and cutlasses," according to one observer.² With the exception of Penlez all of the fourteen men hanged were sailors and the one woman hanged that day was the daughter of a Rotherhithe publican and married to a seaman.³ Attempts to rescue the condemned prisoners during the long, crowded procession were widely reported and feared.⁴ Order at the hangings in the year or so preceding that of Penlez was maintained by reliance upon contingents of the foot and horse guards. In June 1748 a strong guard attended the execu-

¹ See The Worcester Journal for 28 September and 12 October 1749 and The Remembrancer for 23 September 1749. We do not know if Penlez was involved in these attempts.

² "Philonomous," The Right Method of Maintaining Security in Persons & Property to all Subjects of Great Britain (1751), 53.

³ The others hanged that day were (their age and birthplace in parantheses): Philip Lacy (17, Mile End), John Grahm (35, Londonderry), Thomas Hazard (24, Holborn), Thomas Mynott (24, Copenhagen), Thomas Arnold (40, Clerkenwell), Mary Dymar (22, Rotherhithe), John Collison (34, Maidstone), George Aldrige (19, Rumford), Thomas Robinson (22, Virginia), John Cross (25, Guinea), David Boyd (24, Northern Ireland), John Alford (27, Wiltshire), William Cavenagh (26, Dublin) and James M'Gennis (27, Dublin). See the Ordinary's Account, 18 October 1749.

⁴ See, The Remembrancer, 21 October 1749; The Worcester Journal 19 October 1749; The London Magazine, October 1749; John Entick, A New and Accurate History and Survey of London, Westminster, Southwark, and Places Adjacent (1766), III, 32; and "Philonomous," op. cit., 53.

tion. A party of horse guards was present at the hanging of October 1748 but could not (or did not) prevent the body of Lancaster from being rescued by some sailors. In March 1749 the sailors rescued from the surgeons the bodies of Holly and Burk. The footguards attended the April 1749 hanging, and in August a troop of horse guarded the hanging of two smugglers associated with the Hawkhurst gang in order to prevent anticipated rescue attempts.¹

Theodore Janssen, Alderman of Bread Street Ward, Member of Parliament for the City, and Sheriff of London was in this last capacity responsible in law for the execution of the death sentence. Unlike many of his predecessors in that office he took this responsibility seriously. By a combination of daring, massive deployment of the civil officers, and concessions made to the sailors in the crowd at a critical juncture he averted a dangerous situation. Janssen himself rode at the head of the procession. With him were the High Constables of the five divisions, Westminster, Holborn, Kensington, Finsbury, and Tower Hamlets, who with their petty constables formed an armed body of three hundred foot and horse. The City of London's Upper and Lower Marshalls with their attendants marched two by two. The wardens of the two London compters with their livery servants and the Middlesex sheriff's officers marched next. With swords drawn or javelins in hand it was altogether an impos-

¹ The Penny Post, Or the Morning Advertiser, 22-24 June 1748; The London Evening Post, 21-23 June 1748; The Worcester Journal, 10 August 1749; and the Ordinary's Accounts, 28 October 1748, 17 March 1749, 26 April 1749, and 4 August 1749.

ing array of municipal strength that set out with the six tumbrils from Newgate. As they left the jurisdiction of the City at Holborn Bars a party of the foot-guards attempted to join the procession but Janssen with the golden chain of office around his neck and the Sheriff's white wand in his hand waved aside the military support offered by the Crown.¹ A mile and a half later at Tyburn the mounted officers formed a large circle around the gallows and the petty constables and officers on foot formed a smaller circle within.

The multitude of spectators was infinite. Though a rescue had been threatened by many ... there yet was not the least disturbance, except during a moment at the gallows where a vast body of sailors, some of whom were armed with cutlasses and all with bludgeons, began to be very clamorous as the unhappy sufferer was going to be turned off. (2)

Order was kept but at a price. The Sheriff avoided a battle at the gallows by taking responsibility for the dead bodies which he delivered to the friends of the hanged. The "vast Body of Sailors ... assembled there to save the Bodies ... from the Surgeons" left Tyburn without having to fight against the surgeons.³ Penlez was buried in St. Clement's burial ground whose parishioners had raised a subscription for this purpose.

Praise for Janssen's dismissal of the Guards was widespread, and

¹ "A Gentleman not Concern'd," op. cit., 54-55.

² The London Magazine, October 1749

³ Philonomous, op. cit., p. 54.

long remembered.¹ He was lauded for a tactical victory in preventing a rescue or major disturbance during the hanging, but with more significance his decision was praised for political and strategical reasons. Thus "Philonomous" in a "Letter to a Member of Parliament" published two years later took the incident as an occasion for essay in praise of the Saxon conception of the Sheriff. The Normans brought the principle of military law and military force to England which "is not the proper aid, and can very rarely, if ever, be called to the assistance of the civil magistrate, without infringing the constitution, or endangering our liberties."² A "Gentleman not Concern'd" found in Janssen's decision a "Demonstration of Fact, that nothing could be falser than the Imputation of a riotous seditious Humour being prevalent among the People" and of the "Right and Sufficiency of the Magistracy to protect itself in the Execution of its Office." Here was a gesture which showed "the old British spirit" and which proved "that his Majesty's Reign was that of the Laws, and not of the Sword."³ Thus the contrast between Fielding's and Janssen's approach to situations of potential or actual riot assumed a political form, and became a matter of principle.

However, the use of the troops to aid the magistracy in their duties had occurred before and would again without causing political objections.

¹ For example by Francis Place in the 1820's. B.M. ADD. MSS. 27, 825. Grossness, fol. 77.

² Op. cit., 5-42.

³ Op. cit., 54-55.

In January 1749 two sergeants and twenty-four men from the Tower assisted the officers of the Surrey Quarter Sessions in the suppression of disorderly houses in Southwark.¹ In 1744 the Middlesex bench thanked the government for "the provision of His Majesty's Guards whenever required" which included their use in the apprehension of suspected criminals.² On the day after Penlez was hanged a journalist was assured that "some of the Guards will be quarter'd in the Towns around London which are to Patrole the Roads and Foot-Paths from Town to Town from Five in the Even 'till Eleven."³ In February 1750 a detachment of the Guards left the Tower "to disperse a Mob of upwards of three Hundred Sailors assembled in Bartholomew Lane."⁴ In February 1751 Fielding and Saunders Welsh in an ironic alteration of their policy in 1749 called upon a detachment of the Guards to help them raid a disorderly house in the Strand where forty-five people were seized. A dozen years later at the height of another period of sudden demobilization in the summer of 1763 the Guards were called several times to repel mobbing sailors who in March and September tried to prevent the magistracy from committing

¹ P.R.O. W.O. 94. Garrison Papers. The Tower. Vol. 5, fol. 111, Entry for 20 January 1748/49.

² W.J. Hardy and W. Le Hardy (ed.), Calendar of the Middlesex Sessions Books and Orders of Court 1639-1751 (mimeograph, 1921), XX, 37-42.

³ The Worcester Journal, 19 October 1749.

⁴ P.R.O. W.O. 94. Garrison Papers. The Tower. Vol. 5, fol. 112, Entry for 20 February 1750.

prostitutes to prison.¹ At least eight sailors lost their lives in these confrontations.

If the praise of Janssen's decision to dismiss the Guards did not result in a shift of policy towards the use of the military in general, his decision at the gallows to reserve the condemned bodies for their friends had a more lasting effect. In the five or six years beginning in 1750 and from time to time after that the municipal and county officials responsible for the execution of the death sentence used the authority and forces at their command to prevent the surgeons from appropriating the corpses of condemned felons. At the next Tyburn hanging all the "proper Officers" were ordered to attend.² At the hanging of 6 July 1750, we read that the felons were

attended (as usual) by Mr. Sheriff Janssen with five High Constables, and their Petty Constables; and but by few of the London and Middlesex Officers ... The Execution was over by a little after Ten O'Clock, and the Bodies being cut down by Order of the Sheriff, were delivered to their Friends. (3)

For a time a degree of order with that semblance of solemnity so often called for by the critics of Tyburn hangings was maintained by the re-

¹ The Annual Register, 20 March 1763, 6 September 1763, and 13 October 1763; The Proceedings, 14-20 September 1763; and Georges Rudé, Hanoverian London 1714-1808 (1971), 193. Reade's Weekly Journal, 11 February 1751.

² The Penny London Post; Or, the Morning Advertiser, 7-9 February 1750.

³ Ibid., 6-9 July 1750.

moval of the most frequent cause of disorder, the claims of the physicians and the surgeons. Whenever John Taylor or Steven Roe, the Ordinaries of Newgate, for the decade, take note of the manner of disposal of the hanged corpses they invariably report that their "Bodies were all carry'd off by their Friends; nor was there any Disturbance."¹

Isolated from other sources of tension, the gallows' brawls against the surgeons never developed into the full-scale danger to metropolitan order that we find in the Sacheverell, Wilkes, or Gordon riots. Instead they inflicted only a minor but frequent irritant to the city's stability. The rioters were neither dangerous enough to provoke decisive intervention by the Government nor so weak as to enable the surgeons to achieve a victory of their own. But the disturbances always possessed a potential for becoming a flash point of serious riot. When combined as they were in 1749 with the political issues of the Opposition and the general insecurities attendant on the sudden demobilization of the fleet, only the prudent action of Sheriff Janssen prevented them from detonating a serious municipal explosion. Janssen capitulated to the surgeon's opponents. In the evening after Penlez was hanged, there was no dissection in Warwick

¹ See the Ordinary's Accounts for 7 February 1750, 26 March 1750, 16 May 1750, 8 August 1750, 25 March 1750, 29 July 1751, 11 October 1752, 3 December 1753, 5 June 1754, 17 March 1755, and 12 November 1755. A search through a newspaper which otherwise would report brawls against the surgeons reveals the same. See Berrow's Worcester Journal for 6 July 1750, 8 August 1750, 14 February 1751, 31 October 1751, 19 October 1752, 4 October 1753, 20 November 1755, 26 May 1757, 20 October 1763, 5 January 1764, 23 February 1764, 15 March 1764, 23 August 1764, and 21 February 1765.

Lane; instead we read that "Dr. Freake spoke the Herverian Oration before the President, Fellows, and the rest of the Royal College of Physicians ... after which they had an elegant Entertainment in the Hall."¹ At Tyburn in the years following mid-century the surgeons could get on a regular basis only the bodies of felons sentenced to be dissected under the 1752 Murder Act. The days of constant tumult at the gallows were over. We can now turn to the question, why did the crowd at Tyburn oppose the surgeons?

¹ The London Evening Post, 17-19 October 1749.

Chapter Seventeen:

LIFE AND DEATH AT TYBURN

"And the women also, which came with him from Galilee, followed after, and beheld the sepulchre, and how his body was laid.

And they returned, and prepared spices and ointments; and rested the sabbath day according to the commandment."

St. Luke,
23: 55-56.

Having described the arguments of the surgeons' advocates in favour of dissection, having identified those who opposed them, and having recounted the 1749 riot which altered the balance of forces at Tyburn, we now may try to evaluate the significance of the struggle against the surgeons to the labouring poor.

The high mortality rates of 18th century London (sometimes standing to baptisms at a ratio of two to one) may unless care is taken suggest that death could not have mattered very much. Infant mortality was high in all classes of society. In hospitals, ships and prisons death was omnipresent. The plague had disappeared but the toll taken by other diseases was great. A bad harvest or severe winter even in the metropolis brought with it an immediate ascent in the curve of mortalities. Under these conditions with death so common, a daily and public event; a toughness, even an indifference to death might appear to have been the typical response. "A callous attitude to life induced an indifference to death," one historian has remarked.¹

However, this was not the case to the people who were hanged and who went to hangings. Their behaviour if anything

¹ J.H. Plumb, The First Four Georges (1957), p. 20.

suggests the opposite - the supreme importance of death.

Their attitude to death (even to that of the most lowly) was a compound of Christian and quasi-pagan beliefs. While we probably can never disentangle all of them, there are some elements which we can identify with certainty. Let us first consider "Resurrection." Properly speaking this was not an attitude to death but the last chance of escaping it. Nevertheless its prevalence explains in part the hostility to the surgeons.

In 1768 when the bodies of Murphey and Dogan (two militants of the coal-heavers' strike) were taken to Surgeons' Hall to be dissected, a crowd of Irish women formed outside the Hall praying that their countrymen "might live again." The Tyburn mob "rescued the Body of Meff from the Surgeons, and brought it off in as much Triumph, as though they had preserved his Life."¹ Their hope need not have been superstitious, because at times it was reasonable to regard the surgeons, not the hangman, as the agent causing death. During the first half of the eighteenth century the cause of death at Tyburn was asphyxia

¹ Applebee's Weekly Journal, 16 September 1721. See above, pp.

not dislocation of the spine. A broken neck was decisive. Asphyxia however could result in temporary unconsciousness if the knot were tied in a particular fashion or the noose placed around the neck in a specified way. The hangman thus possessed a vital area of discretion in the way he did his work, a well-known fact and one providing the basis for much negotiation and considerable interest in knot-lore. The hangman was bribed to adjust the noose in the proper way at the hanging of Dr. Dodd in 1777 to take one of the more famous examples of the practise. In the event Dodd died, but incomplete hangings without fatal strangulation were common enough to sustain the hope that resuscitation ("Resurrection" as it was called) would save the condemned.¹ John Kello, hanged in 1762, had the rope adjusted under his ear. James Farr, hanged a month later in November,

¹ The sudden descent through a trap door made death more certain than whipping the horses to draw the tumbril from the feet of the felon. Such a 'drop' was used for the execution of Earl Ferrers and regularly employed at Newgate after the site of execution was moved there in 1783. See Radzinowicz, i, 203. Notes and Queries, 2nd series, i (January-June 1856) and ii (July 1856) for the cause of death at hangings. Ibid., xi (20 April 1861) discusses the technique of placing the "knot that stops the wind." See also Radzinowicz, i, pp. 466 - 7.

"fixed the Knot of the Rope under his Left Ear."¹ In the sixteenth century "resurrections were so frequent and the costs incidentally to them so substantial that the Barber-Surgeons had to make the following ruling:

Yt ys agreed that yf any bodie which shall at anie tyme here after happen to be brought to o'r hall for the intent to be wrought upon by Thanathomistes of o'r Companie, shall revyve or come to lyfe agayne, as of late hath been scene, the charge aboute the same bodie so revivinge, shall be borne, levied, and susteyned, by such person, or persons, who shall so happend to bringe home the bodie. And further shall abide suche order or ffyne, as this Howse shall award. (2)

In the seventeenth century William Petty who was to become a geographer of Ireland, founder of the Royal Society, and the greatest figure in the early history of political economy, began his career by studying anatomy, physic, and chemistry at Oxford. He attained considerable notoriety in

¹ The Ordinary's Account, 13 October 1762. Also Berrow's Worcester Journal, 21 October 1762 and 10 November 1762. Christian Helfer, "Der Henker als Opfer der Volksjustiiz," Archiv fur Kulturgeschichte, vol. xlvi, 2/3, p. 340, documents cases of planned errors by Central European hangmen. Mary McCracken's brother hanged for his role in the 1798 rebellion probably bribed the hangman to mismanage the job. A surgeon awaited at his home to attempt to revive him. See Mary McNeill, The Life and Times of Mary Ann McCracken, 1770-1866 (Dublin, 1960), pp. 186-7).

2

Minutes of the Court of Assistants (13 July 1587) of the Barber-Surgeon's Company, quoted in Edward Wedlake Brayley, Londiniana (1829), ii, pp. 33-4.

1650 when he revived Ann Green, a murderess, after she had been hanged and declared dead by the sheriff:

Ann Green was a slippery guean,
In vain did the jury detect her; -
She cheated Jack Ketch, and then the vile wretch
'Scaped the knife of the learned dissector. (1)

In 1769 the story at Oxford attributed her revival to Petty's skill as a surgeon; others took it as "a living anatomy of divine providence."²

Post-execution revivals happened five or six times in the eighteenth century. In 1709 John Smith, a former packer, sailor, and soldier, was left dangling from the Tyburn Tree for two hours after the cart had drawn away. He was cut down, taken to a nearby house where "he soon recovered in consequence of bleeding and other proper applications," and for the next ten years of his life was known as "Half-Hanged Smith."³ In August 1736 Thomas Reynolds was hanged for a Black Act violation in going about armed and in disguise while engaging in the destruction of a Herefordshire turnpike. The wife of another

¹ H.M. Sinclair and A.H.T. Robb-Smith, A Short History of Anatomical Teaching in Oxford (Oxford, 1950), pp. 12-13.

² G.V. Cox, Recollections of Oxford (1868), p. 21, and Brayley, op. cit.

³ Alfred Marks, Tyburn Tree: Its History and Annals (1908), pp. 221-222, and The New and Complete Newgate Calendar; William Jackson (ed.), i, p. 90. In 1721 he was committed to Newgate for robbing warehouses. Applebee's Original Weekly Journal, 16 Sept. 1721.

turnpike "leveller" come to London for his hanging bought a coffin and a shroud. "Just as they had put him into his Coffin, and were about to fasten it up, he thrust back the Lid, and to the great Astonishment of the Spectators, clapt his Hands on the Sides of the Coffin in order to raise himself up." The hangman was about to string him up again, but was prevented from doing this by the "Mob" which carried the coffin to Paddington. There "they put Sack and Brandy to his Mouth, and us'd other Means to recover him, and a Man wrap'd him in his Coat to keep him Warm...."¹ Reynolds expired while the Mob was returning the sick man to town. Three years later in the case of James Buchanan twelve affidavits were submitted to the High Court of Admiralty following his at Wapping attesting to the fact that "Buchanan is yet living."² On Monday, 24 November 1740, the Sheriff reported another case of resuscitation which is worth quoting at length:

At this execution a most extraordinary event happened; for William Duel, aged 17 years ... after having been hung up by the neck, with the others as above, for the space of twenty-two minutes or

¹ The Ordinary's Account, 11 August 1736, and The Morning Post, 23 August 1736.

² See above, pp.

more, was cut down, and being begged by the Surgeon's Company, was carried in a hackney-coach to their Hall, near Cripplegate, to be anatomized; but just as they had taken him out of the coach, and laid him on a table at that place, in order to make the necessary preparations for cutting him up, he was, to the great astonishment of the surgeons and assistants heard to groan; and upon examination, finding he had some other symptoms of life, some of the surgeons let him blood, and after having taken several ounces he began to stir, and in a short space of time was able to rear himself up, but could not immediately speak, so as to be heard articulately. Upon this, messages were sent to my brother sheriff and me, and the news was soon spread about, insomuch that by about five o'clock in the afternoon a very great mob had gathered about the Hall, which intimidated us and our officers from attempting to carry him back to Tyburn this same day in order to hang him up again, and complete his execution, as we might have done by virtue of our warrant, which was to execute him any time in the day. Therefore, we kept him here till about twelve o'clock in the night, when the mob being dispersed, we signed a warrant for his recommitment to Newgate; whither he was accordingly carried.... (1)

The following day the Sheriffs waited upon the Duke of Newcastle at the House of Lords "to know what might be his Majesty's will and pleasure with regard to William Duell." After three days his will and pleasure was made known to

¹ A Journal of the Shrievalty of Richard Hoare, Esquire, in the Years 1740-41 (Privately printed, 1815), pp. 57-8.

commute Duell's sentence to life transportation.¹ John Hayes revived after a hanging and remembered passing St. Andrew's Holborn, "then I thought I was in a beautiful green field and that is all I remember till I found myself in the dissecting room."² That was in 1782. At about the same time a private surgeon in Gough Square purchased for dissection the body of a man who had been hanged at Tyburn. He revived also and the surgeon paid his passage to America.³

The last days in Newgate before the hanging day might be spent in preparing for precisely this kind of 'resurrection.' Thomas Hill, born in the "other end of the Town," served out his apprenticeship to a playing-card maker. He went to Holland on completion of his apprenticeship to have a die made in order to be able to counterfeit the duty stamp on playing cards. He spent most of his time in Newgate prior

¹ See also Anon., News from the Dead, Or a Faithful and Genuine Narrative of an extraordinary Combat between Life and Death exemplified in the Case of William Duell (1740) and William Maitland, The History of London (1756) i, p. 613.

² Notes & Queries, Fifth Series, i (June 1874), p. 444.

³ Memoirs of Joseph Brasbridge (1824), p. 224. Hoaxes depending on the popular belief in resuscitation were set up from time to time as in August 1749 when "Great Commotion in Shoreditch Parish as an Apprehension in that a Resurrection had begun in it." Topham the Strongman with the assistance of some surgeons "got the better of the grave, tho' near eight Feet of Earth had been laid on him." The Remembrancer, 19 August 1749, and The Worcester Journal, 24 August 1749.

to his hanging in 1744 looking into possibilities of "post mortem" revival. "He was cut down and carried to the Talbot in Tyburn-Road by Mistake, the Mobb that took care of his Body, was to carry him to Benjamin Boswell's where a Surgeon waited on Purpose to bleed him."¹ William Parsons had served at sea in Jamaica and Newfoundland and had been a lieutenant in the Grenadiers. Mainly, he lived off his father's credit, a rake, a gamester and sharper. In 1748 he was transported for forging a note upon his father's bankers; he returned a couple years later to rob the same bankers on Hounslow Heath. "Robbing Parsons" was hanged for this in February 1750/1.

After his Execution, his Body was put into a Hearse, and carried to Paddington, where an Experiment was intended to be tried on him, to bring him again, to Live; but a Person, who said he was an Officer, rode after the Hearse, and informed the Driver and Undertaker's Man, that he was ordered to see what became of the Body; but it was afterwards believed, that this Person was only put upon doing what he did by some particular Friends of Parson's, lest they should carry the Body to a private Surgeon's to be anatomized. (2)

¹ The Ordinary's Account, 17 February 1743/44.

² Anon., A Genuine and Authentick Account of the Life and Transactions of William Parsons, Esq. (1751), p. 10. The reader will recall that the Porteous Riots in Edinburgh of 1736 began when troops were summoned to prevent a hanging crowd from attempting a 'resurrection' upon a hanged smuggler. The Gentleman's Magazine, September 1736 and August 1737.

Jack Sheppard's defiance of the law, skill at avoiding it, and determination to live have been celebrated in almost two centuries of legend and song. He escaped twice from the condemned's cell in Newgate, it once having been re-built to contain him. A final effort to escape on the way to Tyburn was detected. This failing, he "earnestly desired some of his Acquaintance, that, after his Body was cut down, they would, as soon as possible, put it into a warm Bed, and try to let him Blood." He hung from the gallows for fifteen minutes before a soldier cut him down.¹ There were others at his execution, however, who wished to take possession of his body. The surgeon's man, a bailiff, acquired Sheppard's body by giving it out that another man, an undertaker whom the bailiff in fact had hired as a decoy, was the agent of the surgeons. Several "gentlemen" interested in burying Sheppard themselves discovered the ruse, informed the crowd of it, and led them in riot against the bailiff in Long Acre where he had conveyed Sheppard preparatory to moving him to the Surgeon's Hall. The crowd was not entirely convinced of the good intentions of these nameless "gentlemen" and the Foot Guards had to be called

¹ Select Trials, ii, p. 156. Arthur Griffiths, The Chronicles of Newgate, (1884), i, pp. 268-9. Villette, The Annals of Newgate (1776), i. pp. 266 ff.

to ensure that not the "mob" but these gentlemen took possession of the corpse. The coach which took Sheppard to St. Martin's-in-the-Fields had to be protected by two files of the Foot Guards "marching on each side of the Coach with bayonets fix'd at the Ends of their Muskets."¹ There Sheppard was buried. The surgeons were not able to dissect him nor his friends permitted to make an attempt to revive him.

The circumstances surrounding the known attempts to revive hanged malefactors suggest caution before the historian concludes that the idea of 'living again' was only the product of quasi-Christian superstition. It was a possibility. A mistake to which the historian of ideas is especially susceptible is to imagine that knowledge is only transmitted by institutional teaching or the written word, and that conscious scepticism is beyond the command of the illiterate.

Thomas Wilson was hanged in 1722 for stealing a hat and a wig in Islington. He didn't go to school and couldn't read or write. He served four years of an apprenticeship to a London sawyer before at the age of thirteen he went to

¹ The British Journal, 16 November 1724.

sea in the Baltic. For infractions of naval discipline he was hung by the heels from a yardarm over the North Sea. He was whipped on the main deck, the lacerations salted with sea water, and lashed again. Perhaps during those moments he learned not to trust to the mercy of God; for by the time he was in Newgate waiting the arrival of his death warrant he "pretended to question the Being of a God and would talk as if there was no Futurity."¹ John Swift was fifteen when he was hanged in 1763 for shop lifting thirty-seven silk handkerchiefs from a riverside slop shop. He promised to "die as hard as ever a man died." When told about his soul he "turned his head and sneered." This was not the result of mere ignorance (he attended a Dissenter's charity school for some years); perhaps his experiences on the Middle Passage of the slaver's run to the West Indies, an experience he survived four times, provided the grounds for skepticism and "hardness."² Similarly with Phebe Ward. She was born in Barsland, Yorkshire. At sixteen she was recruited to be the personal servant of a London merchant. He "ruined" her. She became a prostitute, and in 1711, now

¹ The Ordinary's Account, 24 September 1722.

² The Ordinary's Account, 15 June 1763.

twenty-five years old, she was hanged for infanticide. The Ordinary tells us that "she took a mighty disgust at Things of Religion."¹

With others hanged at Tyburn whose hostility and insolence in Chapel made them a special tarket of the Ordinary's spite we cannot confidently ascribe their beliefs to a position of atheism or skepticism. Contempt and scorn for the Ordinary of Newgate merges with simple ignorance of Christianity on one side and with unbelief on the other. Thus Henry Gadd, alias "Scampey," a boy of twelve hanged in 1744, may only have been ignorant of the first two axioms in the catechism:

"He was ask'd Whom made him?
and he could not tell. I inform'd
him, that the great God created
him, and all the World. A second
Question was, Who redeem'd him? he
hesitated a while, and at last he
said, The D---l." (2)

Others "misbehaved" in Chapel, laughed and told jokes; one (a Worcester born weaver come to Southwark to try to make a living fishing) spat on the Pulpit and altar.³ Thomas Beck,

¹ The Ordinary's Account, 22 December 1711.

² The Ordinary's Account, 24 December 1744.

³ Ibid., 27 May 1738, and ibid., 22 November 1742.

a Stepney orphan who did labouring work to the weavers and plaisterers, couldn't accept the Ordinary's pie in the sky. "When I desir'd him to think of Death, Judgment and Eternity, he said, he had been judg'd already, and that the next thing they were to do was to make a Button of his Head."¹

Even "buttons" were not lost to the sight of God, as William Parkinson, a Leeds cloth workers, hanged for robbing his lodging house of twenty guineas, pointed out to the Ordinary: "as the Thief on the Cross was accepted at the Moment of his Death, why (he said) might not he?"² Parkinson "privately made a Scoff at the word of God, and especially at the Prayer for His Majesty." Paul Lewis, hanged in 1763, was another such "profance scoffer," and one quite literate in the scriptures. He amused the other prisoners at Chapel time by drawing the Ordinary into exegetical argument. Lewis found the depiction of the characters of Moses and David totally implausible. He

¹ Ibid., 22 May 1732. "On almost every execution day, on which several are hanged, the chaplain is subjected to the most outrageous insults from one or more of the doomed men.... Every year several are cut off in front of Newgate in the very act of scoffing at God, and Christ, and the Holy Sacrament." Edward Gibbon Wakefield, Facts Relating to the Punishment of Death in the Metropolis, 2nd edition (1832), p. 160.

² The Ordinary's Account, 15 June 1724.

called upon the Ordinary to resolve the contradiction between Matthew 27:44 and Luke 23:39-42: in Matthew the thieves crucified with Jesus join with the soldiers to mock Christ while in Luke one of the thieves asks to be remembered by Jesus and is promised "Today shalt thou be with ~~it~~^{me in} paradise."¹ At Tyburn Paul Lewis "neither prayed for himself, nor desired the prayers of any one, but looked around with a stern fierceness as if he could destroy all that were present." In his last minutes of life he took no comfort in the Bible where Luke was contradicted by Matthew.

Infrequently, condemned malefactors were presented the opportunity to negotiate with the surgeons for their life. In 1763 George Chippendale received His Majesty's respite from the execution of his death sentence for fourteen days "to be continued if within that time he shall submit to suffer the amputation of a limb, in order to try the efficacy of a new invented styptic for stopping blood vessels."² John Alcock was sentenced to death for stealing a peruke from a Hornsey barber. The sentence was

¹ Ibid., 4 May 1763.

² The Ordinary's Account, 4 May 1763, and Berrow's Worcester Journal, 12 May 1763.

commuted to transportation after he had been "lately
 Inoculated for the Small Pox, and recover'd."¹ And in 1730
 William Whitford was reprieved on condition that "the Drum
 of his Ear [be] cut for an Experiment."² The result of
 this experiment is unknown, but we do know its purpose.
 Lady A. Irwin wrote Lord Carlisle on 29 December 1730,

Today an extraordinary operation is to
 be performed by Chisledon, the famous
 surgeon: he thinks he has discovered that
 the hearing is not wholly communicated by
 the ear, and that a person born deaf, or
 who has totally lost the hearing by accident,
 if the drum of the ear be entirely cut out,
 he will hear by the nose and the mouth.
 Seventeen of the condemned criminals last
 session had their lives offered 'em provided
 they would submit to this trial, but they
 all refused the condition except two....

They say 'tis the most painful operation
 in nature, and that the surgeon insists
 on their being chained while he performs
 it; but 'tis well worth trying upon wretches
 worthy of death, if 'tis attended with a
 great good to society.

I should be glad could I send your Lordship
 anything new or entertaining to make my
 letters acceptable, but wit is at a low ebb,
 or else kept in bank till the Parliament meets. (3)

1

The Proceedings, 6-12 December 1721.

2

The Ordinary's Account, 23 December 1731.

3

H.M.C. The Manuscripts of the Earl of Carlisle Preserved
 at Castle Howard. Fifteenth Report, Appendix, Part vi (1897),
 p. 78. Later in the century Daines Barrington, Observations
 on the More Ancient Statutes (5th edition, 1796), p. 447,
 searched for classical precedents for performing "hazardous
 experiments" on criminals.

Prisoners have always been subject to this cruelty performed beneath the banner of 'science.' In contrast to the extreme weakness of the felon's position where it might under some circumstances be considered fortunate to be faced with a choice between certain death by hanging and the risk of it only in the subjection to 'experiments,' there are a number of beliefs that devolved supernatural powers upon the condemned. Southey's ballad, "Robrecht the Robber," refers to a hanged man:

No weight of earth which they could lay
Would hold him down a single day
If he chose to get up and ride away.

"We therefore commit his body to the ground; earth to earth, ashes to ashes, dust to dust; in sure and certain hope of the Resurrection to eternal life, through our Lord Jesus Christ; who shall change our vile body, that it may be like unto his glorious body...." So, the office of burial of the Established Church. None hanged at Tyburn left testimony that they expected their "vile body" to become "like unto His glorious body," but considerable evidence exists that some viewed the resurrection of the flesh in quite other ways than the Church of England might accept. Lot Cavenagh's former mistress, it will be recalled, promised

to take steps to prevent the surgeons from getting his body. She assured him that she would have done this without his speaking "threatening Words to me, telling me, that if you can, you will trouble me after you are dead."¹ The belief that the dead possessed the power "to come again," ~~was the last revenge of the dead upon the living as such, it~~ provides us with indications not only about the popular conception of death but also of popular notions of justice.

The belief in ghosts was the last revenge of the hanged upon the living. Burnworth, hanged for killing a thief-taker in the Mint in 1726, told one his guards at the gaol "that if he did not take Care to see his Body decently buried after Execution, he would meet him in a dark Entry and pull his Nose off."² Thomas Saunders, a sailor hanged for house-breaking in 1723, said that if anyone cast malign words upon his wife or child "he believed it would be impossible for his Body to rest under the Ground."³

¹ See above, pp. 621.

² Select Trials, ii, p. 360.

³ Ibid., ii, p. 23.

Elizabeth Boile ("Betty the Cook") was hanged in 1714 for stealing two gold rings. One of her former friends refused to visit her in Newgate; "she swore she would haunt him after Death." Again, "having a Smock at Pawn in Holborn, she call'd at the Pawnbroker's as she rid by to Tyburn; but he refusing to give it her, she in a very great Passion swore she would plague him for it after she was hang'd." More often the ^htreat "to come again" or "to be troublesome" after death was directed against those who brought about the death in the first place. Mary Green debauched by a baronet early in the 1730's, bore him a bastard child to whom a bawdy-house keeper in the Minories, Ann Girlie, became godmother. In 1745 Mary Green with another prostitute from the same house were tried and sentenced to death for stealing fifteen guineas from one of their customers, the brother of a dead sailor who had come to London from Sheerness to collect his back pay. There were several grievances against Ann Girlie: first she took five shillings in the pound from the earnings of her lodgers, this not

¹
 Captain Alexander Smith, A Compleat History of the Lives and Robberies of the Most Notorious Highway-Men, Footpads, Shop-Lifts, and Cheats, vol. ii, p. 319 (1719).

including rent, second, she turned King's evidence at the trial when her life was not in danger,¹ and third, she did nothing to obtain a reprieve for Mary Green despite her connections with people of fashion in St. James. Mary Green therefore promised to haunt Ann Girlie and "women of quality [who] glory in the misery of others."² William Stevens was seventeen years old when he was hanged in 1748 for stealing half a pound of tobacco and six gallons of brandy from a shopkeeper's counter. He was indicted under a statute of Queen Anne's (12 Anne c.7) which removed benefit of clergy making hanging the mandatory sentence from the offense of larceny in a dwelling house or shop without breaking in if the value of the goods stolen was forty shillings or more.³ From the condemned cell in Newgate he wrote his prosecutor, "We are sorry you valued your Goods at three pounds, which an eminent Distiller says, were not worth half the Money....So you will hear no more from us, till after our Decease."⁴

¹ The Proceedings, 11-14 September 1745.

² The Ordinary's Account, 4 April 1746.

³ The fundamental modern treatment of the law of larceny in dwelling houses and shops is Radzinowicz, vol. i, pp. 41-49.

⁴ The Ordinary's Account, 18 March 1748.

The principles which activated the spirits of the dead to trouble, to curse, to shame mean or retributive prosecutors also governed the living in discharging a more material revenge. Cornelius Saunders, blind from birth, came to London from Amsterdam at the age of ten in 1740. For years he lived from hand to mouth in the eastern and northern out-parishes of London. In the spring and summer he was casually employed by street carters to call out vegetables and greens. He assisted the "white-coopers" in making washing tubs during the winter and autumn months, not regular work certainly, but it earned him a few pence and perhaps meals and drink.¹ Even a scratch-as-scratch-can existence if implanted in a network of permanent acquaintances and membership in particular neighbourhoods had its own kind of security. He lodged in Lamb Street, Spitalfields, where he did domestic duties in the household of Mrs. White, a victualler, in return for his rooms and the important perquisite of the empty wooden packing crates. These he supplied to the coopers in the Minories who remade them into wash tubs, bathing tubs, casks, and household containers.

¹ "White coopers" built various household containers; "wet" and "dry" coopers built hogsheads and barrels for commercial use by, for example, the distillers and shippers.

In the summer of 1763 while fetching salmon kits from Mrs. White's basement he came across her cache of savings, some thirty guineas hidden in a shoebox and stole it. Blind Cornelius Saunders was well known in the neighbourhood, so the next day when he paraded himself in Moorfields in a new suit of clothes and silver knee buckles the constables sent out by Mrs. White had no trouble in finding him and recovering the money.¹ We cannot get closer to the resentment bred of thirteen years service and dependence which led to this foolish, impulsive, theft, nor to the venomous spite of his benefactor which seem to have informed the day to day dealings - insults, abuse, favours, services - of Saunders and Mrs. White. We do know that to the inhabitants of Spitalfields, Aldgate, and the Minories Mrs. White's prosecution at the Old Bailey was far more brutal than the case deserved where a ducking at the conduit or a thrashing in the street, extra-judicial, commonly administered, direct punishment would have been more usual. The strength of feeling against this recourse to the justice of the Old Bailey showed itself in the attempted rescue of Saunders on the way to Tyburn (it^t came to nothing) and again after his body was cut down from the gallows. "The giddy multitude" protected his body from the surgeons and then

¹ The Proceedings, 6-11 July 1763.

"for the purposes of riot and misapplied revenge" carried it across London to Spitalfields and Mrs. White's house in Lamb Street. Great numbers of people assembled," forced open her door, carried out all her furniture, all salmon tubs, and burnt them in the street before her house. A guard of soldiers was called, but "to prevent the guards from extinguishing the flames, the populace pelted them with stones, and would not disperse till the whole was consumed."¹

The outburst against Saunders' prosecutor was no isolated flash of feeling. A year later, in June 1764, similar incidents occurred. Unlike Saunders, John Dixon was not firmly rooted in the neighbourhoods which were to wrought some revenge against his prosecutor. He was born in Dublin, apprenticed as a silk weaver, ran away to sea, served in the army and was present at the taking of Havanna.

¹ The Ordinary's Account, 24 August 1763. The Gentleman's Magazine, August 1763. Berrow's Worcester Journal, 1 September 1736. The London Museum, A Collection of Prints, Broadsheets and Biographies Relating to Criminals Executed at Tyburn, L52.1. The London Gazette, 13 September 1763, describing the King's proclamation of a reward for informing against anyone "concerned in the said outrageous and dangerous Riot." The Gentleman's Magazine and the Annual Register (December 1774) describe a similar riot. The friends of two executed thieves rescued their bodies from the surgeons, and then passed the prosecutor's house where they "committed the most outrageous acts of violence that have been known in any civilized country, by breaking the windows, attempting to set the house on fire, and threatening the life of Mr. Keat."

In London he was sentenced to transportation for stealing seven shirts and a pair of leather breeches. He easily jumped ship, returned to London, was re-taken and sentenced to death. The key figure in his prosecution, the man who discovered his return to the justices at Old Bailey, was John Parker, a tradesman and butcher in the Minories, well-known thief-taker, and receiver. In fact it was his wife who had received the stolen shirts and breeches which had got Dixon in trouble in the first place. At the hanging, the Ordinary tells us, "there was a vast crowd all around to a considerable distance," some of whom in events which hardly departed from those with Saunder's corpse the year before, took Dixon's body after it was cut down, protected it from the surgeon's, traversed London with it to the threshold of Parker's shop in the East End, and would have torn his house down if the soldiers had not arrived in time to prevent it.¹ The similiarity in content between the condemned malefactor's belief in his power to return

¹ The Ordinary's Account, 11 June 1764; The Gentleman's Magazine, June 1764; and The Proceedings, Part ii, 2-7 May 1764. Hanged with Dixon was John Ives for stealing a bag of laundry. His prosecutor arrived at the Press Yard the morning of the execution to beg forgiveness. It was not granted. The prosecutor hired a coach to Tyburn and again begged forgiveness; again it was refused, Ives saying, "Now you have got your end." See also The Annual Register, May 1765, and Berrow's Worcester Journal, 14 June 1764.

after death and get his own back against cruel, malicious prosecutors and the content of the behaviour of the quite secular "mobbing" of prosecutors by the friends of the condemned should not obscure the formal differences between a belief in the supernatural and direct social action even when they are addressed to the same purpose. It might have been that Betty the Cook, Mary Green, Lot Cavenagh, and William Stevens were not able to tap the wells of community feeling which brought out the men and women of Spitalfields and the Minories against the prosecutors of Cornelius Saunders and John Dixon; and that these latter in turn had no reason to believe in dead spirits. But this is to place a far too instrumentalist construction upon their beliefs. The line between superstition and efficacious social action is not so easily drawn, for the one rule common to all the folklore, ritual and superstition surrounding death and burial despite important regional and class differences among them was that the correct actions of the living was vitally connected with the peaceful departure of the dead spirit. The belief that the ghost will return to haunt the prosecutor should not be opposed to the carriage of the corpse by the living to

the prosecutor's doorstep: each is designed to bring "bad fame" upon the prosecutor, to terrify the prosecutor to the end of her days, and to deter others from hanging a man for a trifling offense.¹

The Tyburn crowd understood that dissection of the condemned felon's body after death was part of his punishment. Jonathan Wild, for example, deserved not only to be hanged, but ought to have his body mutilated not in order that he might help the progress of the science of anatomy, but because he was Jonathan Wild and had the blood of many men on his hands. On the morning of his execution when it was customary to attend chapel and receive the sacrament, Jonathan Wild refused to attend because the crowds of spectators there "would raise a Tumult and Riot upon his Account." The procession to Tyburn "was attended by an incredible Number of People, who were guilty of very outrageous Behaviour in relation to Jonathan, insomuch that by pelting they broke his Head, and the Blood ran down plentifully, which occasion'd

¹ In Keith Thomas, Religion and the Decline of Magic (1971), pp. 597-606, similar interpretations upon the 17th century belief in ghosts are made: they return to rectify disturbed social arrangements, to restore ill-gotten goods, and to denounce evil doers.

a Report that he had cut his Throat."¹ At the gallows there was nothing to be heard but "Hallowing and Huzzas, as if it had been a Triumph, particularly when he was turn'd off."² Riot almost broke out when it appeared that the hangman was giving Wild an extra margin of time for his prayers. Riot at his burial in St. Pancras church yard was only avoided by spreading the rumour that his body was to be given to the surgeons at which news "the noisy Multitude seem'd easy,"³ and was easily dispersed.

The perjurer was a hated man in eighteenth century England. In the west of England the superstitious thought that a man who has deeply perjured himself loses all enjoyment of the sunshine and all consciousness of its light and warmth: "the face of the false witness is the colour of one long in the tomb; and he has never, since the death of the victim of his forswearing, seen the sun."⁴ And no

¹ The Weekly Journal, 29 May 1725.

² Mist's Weekly Journal, 29 May 1725.

³ The London Journal, 29 May 1725. G.L.C.R.O. (County Hall), St. Pancras, Burials 1689-1729. P90/PAN, 1/3, shows that Wild was buried 27 May 1725. Select Trials, ii. p. 287, says that the surgeons got Wild's body after it lay in the burial ground for a couple of nights. Thomas Gent was travelling on the Liverpool-York road when he heard this news and neither he nor his companions were grieved. The Life of Mr. Thomas Gent, Printer of York (1832). A skeleton hanging in the library of the Royal College of Surgeons is said to be Jonathan Wild's.

⁴ Robert Hunt, Popular Romances of the West of England, Second Edition (1871), p. 424.

man was more profoundly hated among the London labouring poor than Jonathan Wild who had forsworn dozens of lives away. In 1732 John Waller was pilloried for perjury. Among the mob that pelted him was the brother of one of his victims who later was indicted for the murder of Waller who was brutally mangled and killed at the pillory. Edward Dalton, hanged for Waller's murder, had said of the informer, "Danm him ... we have sent his Soul half way to Hell, and now we'll have his Body to sell to the Surgeons for Money to pay the Devil for his thorow Passage."¹ The viewpoint which the legislature took regarding dissection, to see in it an aggravation of the capital punishment, "a peculiar Mark of Infamy," was shared by the crowd beneath the gallows.

The blood lust we find against an informer like Waller or a miscreant like Jonathan Wild we can find some seventy years later at the repeatedly delayed hanging of Governor

¹ The Proceedings, 9 October 1732; Anon., The Life and Infamous Actions of that Perjur'd Villain, John Waller (1732). Indicted and sentenced with Edward Dalton was one Serjeant Griffith who had been committed to Bridewell in the past for his 'outrageous' behavior at the pillory. (The Ordinary's Account, 9 October 1732). The churchwardens and "some of ye most considerable Traders in My Lord Mayor's ward," fifty-one of them altogether, petitioned Walpole to respite the sentence. They said that he "was inadvertently drawn into the Commission of the fact at which time many Thousand persons were there assembled." P.R.O. S.P. 36/150. fol. 118-119.

Wall. The government could no longer afford to reprieve this man (whose sadistic pleasure in personally flogging three soldiers to death was widely known) because they feared a general riot among all the sailors and soldiers in London. At his hanging in 1806 basket women and fruit sellers "were drinking his damnation in a mixture of gin and brimstone." The crowds were ready "to tear him to pieces." The cry went out, "Cut his Liver Out." Robert Southey who witnessed this hanging tells us that "according to the sentence the body should have been dissected [but] it was opened as a matter of form, and then given to his relations."¹ For this indulgence Wall's relatives donated one hundred pounds to one of the public hospitals. An immense gulf separated the views of the Tyburn crowd and those of the legislature as to whom this shameful punishment should be applied. The willingness, insistence, of that crowd to protest the punishment in almost all cases of its application testifies to not only different conceptions of the treatment of the dead but to different conceptions of justice. Nor did the London mob behave as if a decent funeral were the prerogative of every body; there is enough evidence to suggest that the London labouring poor thought that the State's agent of final justice, the

¹ Robert Southey, Letters from England (1814), ~~pp.~~ vol. i.

hangman, did not deserve to rest in consecrated ground.

Richard Arnet, Jack Sheppard's hangman, had to be buried privately at night for fear of being mobbed during the day time.¹ John Thrift, hangman between 1735 and 1752 and responsible for about six hundred legitimate murders and at least one criminal homicide,² died in 1752. His body was "brought in a hearse, without any coach to St. Paul's Covent Garden, where it was attended by a great concourse

¹ Horace Bleackley, The Hangmen of England (1929), p. 50.

² In April 1750 he was tried at the Old Bailey for murder, see The Proceedings, 27 April 1750. The influence of the Corporation obtained two respites of his sentence after he was found guilty and finally it obtained a free pardon for him. A badly damaged document, "The Information of Rebecca Faris Widow of David Faris," describes the murder: she said "that on the 11 Instant about five, in the Evening this ... the deceased passing by the Door of John Thrift in the Cole Yard Drury Lane ... who was also in their Company said to the deceased that the said John Thrift who was ... the Stops was Jack Ketch & and that was his House and that he had heard he had ... Newgate; that the Wife of the said Thrift who was sitting at the Door ... Rogues it is Jack Ketch, do you want to Rob him or pick his pocket, upon ... Fewill replied no wee don't design to Rob him or pick his pockett, upon ... Thrift came down the Steps and struck the said Pat Fewill in the face two or three ... then one Timothy Garby who was likewise with them said to Thrift dont mind him ... Liquour, that the said Thrift then went into his House and came out again in ... Waistcoat with a Cutlass in his Hand which he drew that the said ... Deceased thro' the Cole Yard down Drury Lane to the Gateway ... that a great number of people gathering together prevented this Informant ... Blows given but ... the said Thrift was very near the deceased under the ... heard several Voices Cry out cut him down! cut him down! that in a little the Crowd dispised and she saw the dead her Husband all over Blood ... his Head and right Hands" G.L.C.R.O. (Mddx. Division), MJ/SP/60 (April 1750).

of people, who seemed so displeased with his being buried there that the attendants of the funeral, among whom was

Turlis , the present hangman, were afraid that the body would be torn out of the coffin, which was therefore first carried into the church," and interred under cover of night.¹

Sometimes the people assembled at Tyburn regarded dissection in the same light as did the legislature, as a terrible aggravation of the hanging sentence to be applied only in the most heinous instances. They also thought that the corpses of the hanged possessed therapeutic powers. The belief was widespread in the eighteenth century that the corpse of the condemned had the power to heal wounds and cure the sick. In Dorsetshire it was believed that touching the corpse of the condemned had the power to cure common skin complaints. A withered limb could be made whole by placing it upon the neck of a recently hanged man.² It was believed in Somersetshire that any strenuous swelling was cured by touching it with the dead hand of a man who has been publicly hanged.³ In the north

¹ The Covent-Garden Journal, 16 May 1752.

² John Symonds Udal, Dorsetshire Folk-Lore, Second Edition, (1970), p. 186.

³ Robert Hunt, Popular Romances of the West of England, Second Edition, (1871), p. 378.

of England a splinter from the gallows was thought to be a cure for the toothache.¹ In Norfolk it was believed that the dead hand of the executed felon had the power to cure goiter or a bleeding tumour if applied to the affected part. In Wessex ulcers and cancerous growths could be similiarly cured. In the same place it was reported that sterile women went secretly to the gallows to be stroked by the dead hand in order to become fruitful.²

Belief in the magical properties of the hanged corpse or in the charmed attributes of the gallows and the rope were also common in London. There nurses brought children to the gallows to be stroked with the hands of executed criminals.³ "A Halter, wherewith anyone has been hanged, if tied about the Head, will cure the Head-ach," was another view. Wood chippings from the gallows worn in a bag around the neck was said to be an effective cure against the ague. In 1777 when Dr. Dodd was hanged "a very decently dressed young Woman went up to the gallows

¹ William Henderson, Notes on the Folk-Lore of the Northern Counties of England and the Borders (1879), p. 145.

² Elizabeth Mary White, Rustic Speech and Folk-Lore (Oxford, 1913), p. 59.

³ John Brand, Observations on Popular Antiquities, Second Edition (1813, ii, 582-5.

in order to have a Wen in her face stroked by the Doctor's hand; it being a received opinion among the Vulgar that it is a certain Cure for such a Disorder. The executioner untied the Doctor's hand, stroked the part affected several times therewith."¹ When Murphy, the coalheaver, was cut down at Tyburn "a well dressed woman with a child about three years old in her arms, was permitted to pass up to the gallows, where she took the right hand of Murphy then hanging, and stroked it thrice over the child's left hand, which had four holes in it with the King's Evil."² Francis Gorman was hanged for murder a year earlier, in 1767. "A young woman, with a wen upon her neck, was lifted up while he was hanging, and had the wen rubbed with the dead man's hands."³

Vistors to London remarked on these practises with as much surprise as later antiquaries. Meister, writing in 1789 about his tour in England, "remarked a young woman, with an appearance of beauty, all pale and trembling, in the arms of the executioner, who submitted to have her bosom uncovered, in the presence of thousands of spectators,

¹ Ibid.

² The Westminster Journal, 11 July 1768.

³ The Gentleman's Magazine, May 1767.

and the dead man's hand placed upon it."¹ Twelve years earlier a French visitor recorded, "Des femmes credules touchent la corde d'un ou deux pendus croyant de se guérir de l'épilépcie ou de quelques autres maladies aussi grandes."² At a time when the monarchs of England allowed their thaumaturgical powers to lapse and no longer 'touched' those inflicted with scrofula, the "death sweat" of executed malefactors still was held to possess the power to cure this disease, the "king's evil."³ The hand of the dead criminal when stroked nine times across the affected parts made them well.⁴

The difference between these gallows superstitions and the practise of surgical dissection is plain: where

¹ J.H. Meister, Letters written during a Residence in England, translated from the French in 1799, p. 62.

² F. Lacombe, Observations sur Londres et ses Environs (London, 1777), p. 186.

³ This aspect of the secularization of royal authority in England is discussed in Marc Bloch, Les Rois Thaumaturges, (1924), passim.

⁴ Annual Register, i, p. 90; The Gentleman's Magazine (1767), xxxvii, p. 276; Edward Cadogan, The Roots of Evil (1937), p. and William Connor Sydney, England and the English in the Eighteenth Century, i, p. 275. Gerald A. Robin, "The Executioner: His Place in English Society," The British Journal of Sociology xv (1964) pp. 234-253, contains further examples of the belief in the healing power of the hangman's rope.

one honours the felon's corpse the other humiliates it. When Mandeville defended the dissection of felons because it allows them to "make a useful Restitution to the Publick" he might with more accuracy have been describing these superstitions, for it is in them that the living acknowledged the special powers of those exterminated by the law. It is as though these beliefs were sustained by another; namely that those removed from the community by its own laws should in some way restore the balance and be given a power to make a healthy contribution after death following their failure to do so in life. We perhaps can see a similar principle at work beneath another custom at the gallows, the vanishing tradition of the gallows' wedding.

The ceremonies, the customs, the traditional behaviour of the condemned malefactor on his procession from the condemned cells in Newgate through the metropolis to his final exist at Tyburn have been the subject of many descriptions in books of popular antiquities and those representing an older kind of "social" history. The bell ringing at St. Sepulchre's, the nosegays tossed from balconies to the prisoner along the route, the apparent rules governing the order of precedence of officers,

soldiers, and prisoners in the procession, are examples of details which have been culled from the descriptions of many different executions to evoke a composite picture of the 'typical' hanging, a picture usually deprived of any significance except curiosity in the quaint.¹ The evidence supporting any historial description or analysis of the customs performed along the procession to the gallows is sparse and often inexact, and this makes the construction of a composite or impressionistic picture more tempting. Nevertheless, only by resisting this temptation can we in the first place isolate those details which can provide, however uncertainly, some clues to the beliefs of those hanged (and those witnessing the hanging) about death, and, in the second place show the variety in behaviour of the condemned and the range in character of the hanging days, a diversity in behaviour which corresponds (among other things) to the heterodox beliefs of the condemned themselves.²

¹ For example, John Laurence, A History of Capital Punishment (1932), Gilbert Armitage, The History of the Bow Street Runners (1932), Alfred Marks, Tyburn Tree (1908), Christopher Hibbert, The Roots of Evil: A Social History of Crime and Punishment (1963), Christopher Hibbert, The Road to Tyburn (1957), Patrick Pringle, Hue and Cry: The Birth of the British Police (1955), for egregious instances. Radzinowicz, A History of English Criminal Law, I, 165-220, 722-24, for a documented compendium of much of the available evidence.

² "In reality the Tyburn procession was ritualized into a kind of black mass version of the journey to Calvary." Pat Rogers, Grub Street: Studies in a Subculture (1972), p. 156. It is correct to see in the processional customs to Tyburn a ritualized element, but these had nothing to do with a "black mass."

The two thousand word article on "gallows" in Wright's English Dialect Dictionary gives it eleven main meanings and at least three of these refer to various attitudes or behaviour, saucy, wild, mischievous, wanton, which have no connotations of wickedness. One of these meanings of gallows (also spelled 'gallace,' 'gallus,' and 'gallousness')¹ denotes "smart in appearance," a meaning which undoubtedly derived from the practise at many eighteenth century hangings of the felons' great care to appear well dressed or "flash" at his hanging. In 1721 Nathaniel Hawes stood trial for a highway robbery. At some point between his capture and appearance at trial his fine suit of clothes were taken. "Unless they are returned," he said, "I will not plead for no one shall say that I was hanged in a dirty shirt and a ragged coat." The punishment, peine forte et dure, was applied: two hundred and fifty pounds weight was placed on his chest to force him to plead, his

¹ A correspondent to Notes & Queries, 4th Series, x (November 1872), p. 420, remembered hearing the following lines fifty years earlier:

'Sessions and 'sizes is drawing near.
 Luddy fuddy heigh fol luddy heigho
 And we poor devils is forced to appear
 Luddy fuddy &c.
 So, Charlie, come give us a glass of gin
 Luddy fuddy &c.
 That we may look gallows as we go in.
 Luddy fuddy &c.

not guilty plea failed, and Hawes hanged without his fine clothes.¹ Russel Parnel was given proper dress to be hanged in by his friends.² Three smugglers from the Hawkhurst gang "were dressed in white" at their hanging.³ Paul Lewis was hanged in a white cloth coat, silk laced hat, white stockings and silk breeches.⁴ Richard Broughton and James Hayes, two Irish highwaymen, refused to enter the cart at Newgate "without a clean Shirt and Stockings to be hanged in."⁵ Henry Simms or "Gentleman Harry" was a hackney coachman and "as famous a Thief as ever yet adorn'd the Gallows." He hanged for stealing a silver watch. At his execution he was "cleanly dress'd in a White Fustian Frock, White Stockings, and White Drawers."⁶ George Anderson had served two years in Newgate for uttering a counterfeit Portugal piece; had twice been pilloried for perjury; both his wife and mistress were imprisoned at the time he was finally caught and hanged for stealing eight shillings worth of silk ribbons. For his hanging he had made up a white linen waistcoat and breeches trimmed with black

¹ Arthur Griffiths, The Chronicles of Newgate (1884), i, p. 253. Select Trials, i, 114-5.

² The Ordinary's Account, 13 January 1752.

³ Ibid., 26 April 1749. The Remembrancer, 29 April 1749.

⁴ Berrow's Worcester Journal, 12 May 1763.

⁵ Ibid., 26 March 1753, and the Ordinary's Account, 23 March 1753.

⁶ The Ordinary's Account, 17 June 1747.

ferret.¹ John Redmond went to sea at the age of twelve and was hanged at seventeen. He wrote his aunt and uncle "desiring they would send him some white cloaths to appear in on the morning he was to suffer."²

Foreign visitors were struck by the fact that the condemned malefactors treated the day of their hanging as a wedding. "He that is to be hang'd or otherwise executed, first takes Care to get himself shav'd, and handsomely drest, either in Mourning or in the Dress of a Bridegroom,"³ so wrote a Swiss visitor after seeing a Tyburn hanging at the end of the seventeenth century. By the last third of the eighteenth century the hanging day was generally known as a "Hanging Match."⁴ When John Weskett was hanged for stealing a gold repeating watch and three gold snuff boxes from his master, the Earl of Harrington, he wore a white ribbon in his hat because, as he explained, "I believe I am come to an untimely End, in order that my Soul might be saved; and I look upon this as my Wedding-Day."⁵

¹ The Ordinary's Account, 7 November 1750.

² Ibid., 11 June 1764.

³ M. Misson, Memoirs and Observations in his Travels over England (1719), p. 124.

⁴ B.M. Add MSS. 27, 826.97 (Place Collection).

⁵ The Ordinary's Account, 11 June 1764.

Henry St. John wrote George Selwyn, a London roué passionately interested in corpses and hangings, that Weskett "went to the gallows with a white cockade in his hat as an emblem of his innocence, and died with some hardness, as appeared through his trial."¹ Lawrence, the fourth Earl of Ferrers, hanged for murdering his steward, prepared for his hanging by dressing "in his wedding clothes, which were of a light colour, and embroidered in silver, and he said he thought this, at least as good an occasion of putting them on as that for which they were first made."²

Mary Hamilton, in the ballad, goes to her hanging in "robes of white." Defoe wrote that criminals "go to their execution as neat and trim as if they were going to a Wedding."³ ~~By mid-century the hanging day is also known as a "Hanging Match."~~ "To be noozed," we recall, means to be hanged or to be married. "To kiss the maiden" is to hang. The combination of the nuptial clothing of the hanged felon with the undercurrents of sexuality among the

¹ Memorials of George Selwyn, i, 11.

² The Life and Times of Selina Countess of Huntingdon, i, 401-408.

³ Daniel Defoe, Street Robberies Considered (1728), pp. 52-54.

crowd at Tyburn opens Swift's ballad, "Clever Tom Clinch
Going to be Hanged,"

As clever Tom Clinch, while the Rabble was bawling,
Rode stately through Holbourn to die in his Calling;
He stopt at the George for a Bottle of Sack,
And promis'd to pay for it when he'd come back.
His waistcoat and Stockings, and Breeches were white,
His Cap had a new Cherry Ribbon to ty't.
The Maids to the Doors and the Balconies ran,
And said, lack-a-day! he's a proper young Man.
But, as from the Windows the Ladies he spy'd,
Like a Beau in the Box, he bow'd low on each Side. (1)

The only other kind of death which in the eighteenth
century was treated as a kind of nuptials was the premature
death of a virgin or childless woman. In reports of
funeral customs from all over the country we know that
the corpse was often dressed in white, that the pall-bearers
were young women, and that white gloves, white bonnets,
white silk shawls, scarfs, and saches were customarily worn.²
The white gloves appear again at Tyburn: "on voit les
criminels traverser la ville sur des charettes, parés de
leur plus beaux habits, avec des gants blancs et des bouquets,"
as a French traveller noted.³ And again in a ballad fragment

¹ Harold Williams (ed.), The Poems of Jonathan Swift (1937),
Vol. ii, pp. 399-400.

² See for example, J.C. Atkinson, Forty Years in a Moorland
Parish: Reminiscences and Researches in Danby in Cleveland
(1891), p. 230, Mrs. Gutch (ed.), Examples of Printed Folk-Lore
concerning the East Riding of Yorkshire (1912), p. 136, and
Sidney Oldall Addy, Household Tales with other Traditional
Remains Collected in the Counties of York, Lincoln, Derby,
and Nottingham (1895), p. 125.

³ B.L. Murat, Lettres sur les Anglais et les Français (ed.
O.V. Greyerz, 1897), p. 51.

that Francis Place recorded:

Through the streets as our wheels slowly move
 The toll of the death bell dismays us,
 With nosegays and gloves we are deck'd,
 So trim and so gay they array us,
 The passage all crowded we see,
 With maidens that move us with pity;
 Our air all admiring agree
 Such lads are not left in the City. (1)

The particular tragedy of the death of a virgin is felt by the living in the loss not only of one life but in the loss of future generations, in the failure of that life to reproduce itself. The funeral marking such a death pays particular attention to that fact by extensive borrowings from wedding ceremonies: at her funeral Ophelia is "allow'd her virgin crants,/Her maiden strewments". Whether a similar sense of particular loss at the death of the condemned, usually men in the full prime of life, was responsible for the nuptial-like practises at some hangings, would remain entirely historical guesswork, were it not for the survival of an extraordinary belief.

In 1602 John Manningham recorded in his diary:

It is the customs (not the lawe) in Fraunce
 and Italy that yf anie notorious professed
 strumpet will begg for a husban a man which

¹ Brit. Mus. Add. MSS. 27825, fo. 155 (Place Collection). See also James Prior (ed.), The Miscellaneous Works of Oliver Goldsmith (New York, 1854), Vol. i, p. 371.

is going to execution, he shal be
 reprieved, and she may obteine a pardon
 and marry him.... In England it hath
 bin vsed that yf a woman will beg a con-
 demned person for her husband shee must
 come in hir smocke onely, and a white rod
 in hir hand.... (1)

In Street Robberies Considered Defoe has a robber marry a
 whore under threat that otherwise Tyburn would be his wife.
 Eighteen maidens dressed in white petitioned the King to
 spare the life of Edward Skelton condemned in 1686 on
 condition that one of them marry him.

A ballad, "The Mirror of Mercy, In our Gracious King's
 Pardoning of Edward Skelton," was set to the tune of "Joy
 to the Bridegroom:"

No Cost or Charges did they spare,
 but readily they did prepare,
 Five Coaches thus was fill'd withal,
 Who hasted straight unto White-Hall;
With Eighteen Damsels all in White,
It was a fair and comely sight.

They gain'd a Favour in this thing,
 And was admitted to the King;
 Where falling low upon their Kness,
 Before his Princely Majesty:
He their Petition did receive
And likewise granted a Reprieve. (2)

1

Notes and Queries, fourth series, Vol. iv, p. 417. See also
 Daines Barrington, Observations on the More Ancient Statutes,
 5th edition (1796), p. 474. The custom "probably arose from
 a wife having brought an appeal against the murderer of her
 husband; who afterwards, repenting the prosecution of her lover,
 not only forgave the offence, but was willing to marry the
 appellee." Aso, John Brand, Observations on Popular Antiquities,
 2nd edition (1813), Vol. ii, p. 665.

2

Hyder Edward Rollins (ed.), The Pepys Ballads (Cambridge,
 Massachusetts, 1931), Vol. iii, pp. 248-254.

Skelton was reprieved. In 1695 "several Women in White went to Whitehall, to Petition for the Life of a Seaman, Condemned to Dye at a Council of War held at the Buoy of the Nore, for Deserting his Ship, and entering himself on Board of another." This petition was granted too.¹

A year later "several Women in White petitioned their Excellencies the Lords Justices, to Pardon" a Surrey highway robber.²

In 1697 "6 Women in White went to Whitehall to beg the Life of ... Oldfiedl condemn'd for Pyracy."³

In 1682 "a young woman (German born) went to Whitehall cloathed in white to beg the life of Capt. Vratz, one of the murtherers of Mr. Thin, but without successe."⁴

In 1687 "several maids in white went and met the king in St. James Park, and presented a petition to him in behalf of the soldier ordered to be executed at Plymouth," also without success.⁵

¹ The Intelligence Domestick and Foreign, 4 June 1695, quoted in Rollins, op. cit., p. 249.

² The Post Boy, 11-13 August 1696.

³ Ibid., 15-17 July 1697.

⁴ Narcissus Luttrell, A Brief Historical Relation of State Affairs from September 1678 to April 1714, 6 volumes (Oxford 1857), i, 168.

⁵ Ibid., iii, 494.

went to beg the life of one Swan, a soldier, sentenc'd to be shott for deserting, but could not prevail with the lords justices."¹

In May 1722 John Hartley called "Pokey" was hanged. He was born in Shoreditch, schooled at the White Cross free school, and earned a living by serving the Honey Lane and Smithfield butchers and by robbing in the streets. His prosecutor refused to settle out of court or to reduce the charges ("he made his brags that he'd hang six of them, and get the money allow'd for taking them"). It was reported that "seven young Women from that Neighbourhood [Honey Lane] having dressed themselves in White, and carrying white Wands in their Hands, went up to St. James's and presented a Petition to beg his Life; which if obtain'd, one of them was to marry him under the Gallows." In ^{Newgate} ~~Newage~~ "Pokey" much desired that the six Maidens ... might be successful in their Undertakings." They were not and he was hanged.²

Three years later John Eades a nineteen year-old boy from Southwark was condemned. "A Great many young Women

1

The Pacquet-Boat, 2-5 July 1695, quoted in Rollings, op.cit.

2

The Ordinary's Account, 4 May 1722, and The Proceedings, 4-6 April 1722. The Weekly Journal or Saturday Post (5 May 1722) mentions seven women "having dressed themselves in White, and carrying White Wands in their Hands, went up to St. James's, and presented a Petition to beg his Life; which if obtained, one of them was to marry him under the Gallows."

in White" petitioned the King that he be reprieved and sentenced to transportation, so that "his Aged Father now in the Evening of his Days may not carry his Grey Hairs with Sorrow to the Grave."¹

In 1749 John Hartley and John South were condemned at a Court Martial for desertion and enlistment in the French service. "South's Sisters who live in the Strand, with the intended Spouse of Hartley, and four other Maidens dress'd in White, with great Humility waited on his Majesty and others of the Royal Family with a Petition in Behalf of the Deceased." The petition was unsuccessful and the two soldiers were shot, drums a-beating, on Constitutional Hill.²

We have found no *successful instances in the eighteenth* century of the gallows wedding, though it was not a long dead custom which explains why we find attempts to reprieve criminals in this way. It was a custom that, like 'touching' for the King's Evil, the Hanoverian Kings allowed to lapse. The vestigial remnants of a magical conception of

¹ P.R.O., S.P. 44/81, fo. 407. Also S.P. 44/253, fo. 527 for a copy of the petition.

² P.R.O., W.O. 71 (Proceedings Court Martial), Vol. xx, fols. 164-172. Also see The Worcester Journal, 17 August 1749, and The Remembrancer, 19 August 1749).

kingship warns us that the treatment of an execution as a wedding was not entirely symbolic. Otherwise perhaps the wedding clothes of the condemned signified a spiritual regeneration, or a proclamation of innocence before God and the Sheriffs, or a flaunting, ostentatious display -

as was certainly the case with Charles Brown who wrote a narrative of his robberies (comparing himself to Mackeath) in order to finance his funeral for "he would be buried like a lord,"¹ or as with John Weskett to whom spiritual regeneration following the execution appeared as an anticipation of a divine union. Here the strictly religious, even violent, conversion described by the early Methodists seems the appropriate parallel. A few years earlier Charles Wesley preached at^a Wapping hanging: "Well is the Spirit compared to a mighty rushing wind: we heard the sound of it now, and the flame was kindled. Many felt the pangs of the new birth. Behold, a cry, 'The Bridegroom cometh!'"²

After all the complexities have been suggested (which perhaps can never be fully uncovered) we must finally return

¹ The Ordinary's Account, 23 November 1763.

² Charles Wesley, The Journal (1849), i, 215.

to what we most often expressed by the condemned themselves: the simple, direct desire for a decent burial. Martin Gray "was greatly frightened" by the thought of dissection. Sarah Wilmshurst wanted to be "decently interr'd in a Christian Manner." Thomas Pinks wanted "Christian Burial." Lot Cavenagh threatened his friends to make them do "that THING" to save him from the surgeons. Charles Connor said he wanted "to lay by my Wife." Richard Tobin begged his master for "A Coffin and a Shroud." Hundreds of men and women rallied at Tyburn to provide the condemned with this last mark of humanity. The arguments of scientific utility that Mandeville directed to "Men of Business" were never presented to those beneath the gallows who performed only what was decent, like Joseph of Arimathaea.

"Good People of Guildford," began the last words of Daniel Moylon who was being hanged for a highway robbery,

you have been very good to us the Time
we have been under Sentence of Death,
in not letting us want Necessaries, and
I hope you will continue so now. There's
Dr. Osmar, who came to me in Jail, and
asked me to sell my Body. Then turning
to Osmar, told him, he was an inhuman Man
to put such a Question to him; pray'd the
People to see him buried, that they were
made public for their Crimes in Life, and
ought not to be exposed after Death. (1)

1

Rev. Mr. Bannister, The True and Genuine Confession, Behaviour, and Dying Words, of all the Malefactors that were Executed at Guildford &c. (March 1738).

Moylon and the nine other sentenced to be hanged joined with some of the "Good People of Guildford" to sing the thirty-eighth Psalm:

3. There is no soundness in my flesh
because of thine anger, neither is there
any rest in my bones because of my sin.

7. For my loins are filled with a loath-
some disease: and there is no soundness
in my flesh.

12. They also that seek after my life
lay snares for me: and they that seek my
hurt speak mischievous things, and imagine
deceits all the day long.

16. For I said, Hear me, lest otherwise
they should rejoice over me: when my foot
slippeth, they magnify themselves against
me.

One imagines the imagery of corrupt flesh and the promise of purification thus sung in full chorus at a market town hanging united a community in powerful opposition to the lingering presence of Dr. Osmar.

The forcible removal of the dead from alien or shameful conditions could assume an heroic importance at least in popular mythology. At York Assizes, 22 March 1739, Dick Turpin was sentenced to hang. He distributed three and a half pounds "among five men who were to follow him as mourners, to be furnished with black hat-bands and

mourning gloves," and to watch his grave and protect it from the surgeons.

But if I had my liberty,
And were upon yon mountain high;
There's not a man in old England
Durst bid bold Turpin for to stand.

What Turpin dead could not bid, the "mob" of York accomplished. After his body had laid in state for a day and a night it was exhumed for a dissection. "The mob, exasperated, searched for it in all the houses of surgeons and physicians in the city, and at last found it in a shop laid out for a dissection."¹ They smashed the doctor's shop, carried the body in triumph through the streets, replaced it in its coffin with quantities of unslacked lime, and they watched over it "until they felt assured it was in a state of decomposition." When Parker, one of the leaders of the mutiny in the Nore in 1797, was hanged for his part in the rebellion, he was afterwards buried in the Naval grave yard at Sheerness, a fact which gave rise to rioting in the East End and a song commemorating his widow's "crime of piety:"

At dead of night, when all was silent
And many thousand fast asleep,
I, by two female friends attended
Into the burying ground did creep
Our trembling hands did serve as shrouels
With which the mould we moved away,
And then the body of my husband
Carried off without delay.

1

Charles Harper, The Lives of the Highwaymen (n.d.), ii, p. 226; and W.H. Logan A Pedlar's Pack of Ballads and Songs (Edinburgh, 1869), John Villette, The Annals of Newgate (1776) iii, p. 26.

A mourning coach for him was waiting:
 We drove to London with all speed,
 Where decently I had him buried,
 And a sermon o'er him said.
 And now his sorrows are all over,
 And he's free from guilt and pain;
 I hope in heaven his soul is shining,
 Where I shall meet with him again. (1)

We recall Creon's edict that Polyneices be left "unwept,
 untombed, a rich, sweet sight/ for the birds' beholding."

It was Antigone's "crime of piety" that righted this defile-
 ment and violation of the "gods' unwritten and unfailing
 laws."² Connotations of 'Eastern tyranny' and 'heathen
 barbarities' led Londoners to call these anatomies,
 "ottomies."³

¹ Logan, op. cit. In the event Parker was buried in
 Whitechapel. See G.E. Manwaring and Bonamy Dobree, The Float-
 ing Republic: An Account of the Mutinies at Spithead and the
 Nore in 1797 (1937), Appendix iii.

² Elizabeth Wyckoff (translator), Antigone.

³ Reade's Weekly Journal, 21 January 1737/38.

The relation of age-specific mortality rates to the dominant social relations of production and family organization gave to death a far greater significance to the living than it has in our own time. So important is death to such types of societies that its effect upon the living ^{has} ~~have~~ been called a "death crisis." When death strikes young, while men and women are fully engaged in family life and when the family as such performed a critical role in the social division of labour, a social vacuum is created whose effect was not one of sentimental loss only, but of deep moral and material consequence.¹ In the poorest parts of Ireland at the beginning of the nineteenth century "an easy death and a fine funeral" was a proverbial benediction. The poorest labourer scrapped together what money he could for years in advance of his death to purchase a shroud and proper burial dress.² In Wright's English

¹ Robert Blauner, "Death and the Social Structure," Psychiatry, Vol. xxix, 4 (November 1966), pp. 378-394, and to Philippe Ariès, *La mort inversée: le changement des attitudes devant la mort dans les sociétés occidentales*, "Archiv. Europ. Sociol.", Vol. viii (1967), pp. 169-195.

² Thomas Crofton Croker, Researches in the South of Ireland, first edition 1824, republished Dublin, 1968, p. 166.

Dialect Dictionary there are more than fifteen hundred words denoting death, a number exceeded only by those expressing "to be" or by those that tell a person they're a fool.¹

More than three-quarters of those hanged at Tyburn were between the ages of twenty and thirty. They died when the men were at the height of their strength and the women most fertile. This combination of broadly dispersed age-specific mortality and small productive units (often family based) which characterized the life of the eighteenth century London labouring poor provided the circumstances which made death such a shock to the social relations of the living. The violence of that shock was formalized and to a degree assuaged by an elaboration of funeral rites, burial customs, and beliefs about death which, to an age like ours accustomed to the concealment of death and the privatization of bereavement, appear as bad taste or as superstition. The costly, elaborate funerals of the eighteenth century London bourgeoisie, criticized by late nineteenth and early twentieth century

¹ Elizabeth Mary Wright, Rustic Speech and Folklore (Oxford, 1913), p. 6, did the counting for words meaning "death" and for words denoting "to be" we rely on the statements of Thomas Wright in the preface to The English Dialect Dictionary (1898), Vol. i, page v.

historians for their ostentation and pomposity, are well known.¹ Those invited to such funerals received black-edged cards decorated with skulls, cross bones, scythes, and hour glasses. Gloves, scarves, and mourning rings were given to each mourner and could cost hundreds of pounds. If the funeral were held at night numerous flambeaux men might hold lighted candles in branches of four. The hearse might be emblazoned with emblems and crowned with ostrich plumes. The funeral entourage of a merchant who also held a City office could bring out the trained Bands, municipal supernummeraries, trumpets and muffled drums. The complex allotment of spaces in parochial burial grounds, the almost impenetrable web of fees, rights, and privileges prevailing in London parishes as to mortuary clothes, palls, monuments, and services for the dead remind us that the institutional arrangements of

¹ See for example, John Ashton, Social Life in the Reign of Queen Anne, 2nd edition, (1883), chapter 4; and William Connor Sydney, England and the English in the Eighteenth Century, (1891), i, 68-72.

death were as complicated as those for the living.¹ The death of a member of the Royal family was not only the occasion for the most elaborate procession and ceremony of lying-in-state, it also substantially affected the market in demand for textiles. For aristocrats, for the governors, and for the wealthy funerals perpetuated the fame and magnificence of their families and position; their wealth easily passed to the living through the law of trusts and wills.

When a poor man died he took the source of his wealth with him to the grave. To those dependent on him in one or another of ways his death was a permanent injury. To this crisis was added the deliberate ignominy of the law. To the surgeons, their spokesmen, and the Lords and squires sitting in Parliament, not only was humiliation at the death of one of the "Scum of the People" a passing matter, but such further "Marks of Infamy" as public dissection became a part of the policy of class discipline.

¹ The consecration of a new burial ground of the parish of St. Marylebone in 1733 provides us with an opportunity to see some of these complexities. There were three categories of land - best ground, old church yard ground, and common ground. There were six categories of dead - housekeepers, their children, lodgers, their children, foreigners and their children. According as a person belonged to these categories and according to their ability to pay types of flat stones, types of upright stones, and types of head and foot stones would be allotted. See Westminster District Library, Marylebone Road. Proceedings of the Vestry, 1729-1740.

CONCLUSION

"When every case in law is right;
No Squire in debt, nor no poor knight;
When slanders do not live in tongues;
Nor cutpurses come not to throngs;
When usurers tell their gold i'the field;
And bawds and whores do churches build;
Then shall the realm of Albion
Come to great confusion:
Then comes the time, who lives to see't,
That going shall be us'd with feet."

King Lear,
III. iii. 85-94.

Thirteen years ago E.P. Thompson warned historians against the assumption that in the late eighteenth century "'Christ's Poor' can be divided between penitent sinners on the one hand, and murderers, thieves and drunkards on the other." "It is easy," he wrote, "to make a false division of the people into the organized chapel-going and the dissolute bad in the Industrial Revolution." Casting a glance back to the earlier parts of the eighteenth century he saw those "years as ones in which the class war is fought out in terms of Tyburn, the hulks and the Bridewells on the one hand; and crime, riot, and mob action on the other."¹

We have taken these warnings seriously by reconstructing particular parts of London social production in order to show why the "class war is fought out in terms of Tyburn." To evoke, to describe, or even to analyze the mob disturbances at Tyburn hangings is not enough. As a site of London disorder it was well known. The futility of its ostensible purpose was no less clear. A study of Tyburn, even when it includes an analysis of all its contending forces, must be limited by the fact that the hanging was an end, though a dramatic conclusion, of forces whose contradictory causes lay elsewhere. In the foreground of Hogarth's depiction of Tom Idle's execution, there are apprentices about to begin the same cycle that Tom concludes. The plate is

¹The Making of the English Working Class (1963), pp. 55 and 60.

afterall the last of a series; a half dozen others tell his story. The route to Tyburn led through a series of steps, in a Spitalfields garret, in churchyard gambling, in the uncertainties of the ocean, in Drury Lane stews, and in corruption at Old Bailey. Always this route is compared to its opposite: religious hypocrisy, a marriage of policy, factory discipline, and the rich man's rewards of honor, power, and gluttony.

We have tried to see in the awful hangings of eighteenth century London something more than the supreme moment in the exercise of "police," so we have described, in part, the determinate social basis of that terror, by giving, as it were, the 'plates' that preceded it. Though work is the starting point, Hogarth's series quickly leaves it in order to describe the alternative ways of avoiding it. Our thesis, by contrast, takes the reader back to particular sites of production: the shipyard, the hatter's battery, the tobacco keys, and the coal wharfs. In doing this we have paid a heavy price in all that we have left out.

A seasonal rhythm of criminality invites us to a further study of wandering agricultural workers and crime. The secular peaks of criminality suggests a closer study of soldiers and sailors at times of demobilization. The prominence of butchers among the trades of the London hanged awaits a study of the centralization of marketing and some of its effects in crime. Study of "luxury" and "parasitism" is sug-

gested by the crimes that were an aspect of the "servant problem." The crimes of textile workers and the transition to factory based production await further attention. Furthermore, much of eighteenth century London criminality deserves to be treated not in the contexts of productive sectors but within the various institutions of the sphere of circulation. Coining, fencing, prostitution, gambling, gaming and drinking require such treatment.

The "great and chief end" of government was the preservation of property, but property took various forms. The laws protected property when it was in the sphere of individual consumption or in the sphere of exchange. The expansion of capital statutes in the eighteenth century sought to protect property in the sphere of production. While the amount or types of London crimes are not explained in terms of the violation of these new statutes, we have found it necessary to locate the causes of crimes within the realm of production, even when the crimes themselves attacked property in one of the former spheres. In the study of particular productive sectors we found the concepts that adequately account for the centrality of the problem of crime both to the history of the eighteenth century labouring poor and to the development of the organization of capitalist production.

The relationship between the two themes underwent a profound alteration between the end of the century and the second quarter of the next one. One aspect of that change can be

studied in the life of Samuel Bentham. Another aspect is reflected in the life of Francis Place in whose autobiography the changing relationship between crime and labour is a major concern. To compare his youth in the street life of pick pockets, thieves, apprentices and journeymen conducting running campaigns of vandalism against the well-dressed and the rich, singing songs in praise of "Jack Chance," "Young Morgan," and "Teddly Blink and Brandy Jack," and other highwaymen to the maturity and manhood of Place in the L.C.S., as an organizer, a friend of Jeremy Bentham, and master tailor whose shop had the first plate glass windows in Charing Cross, is to trace not just the history of one man's "moral improvement," but to span two epochs in the history of London labor.

His uncle was "a common seamen." His grandfather died of wounds inflicted by robbers. His father was a drunken spunging house keeper. His friends in the Strand were pick pockets and punks. The apprentices of his Cutters Club robbed their masters for small change. Its cockswain was transported for robbery. The strokesman was hanged for a murder he didn't commit. The mistress to whom he served an apprenticeship in leather breeches making had five children. Of the three daughters one was a "common prostitute," another was kept by an East India captain, and the third lived in genteel lodgings where she was "visited by gentlemen." One son was a "first rate pickpocket working at his trade of Leather Breeches Making as a blind." The other was a thief who was obliged to abs-

cond and enlist as a soldier. His youngest sister married a butcher and a highwaymen. Her father-in-law and her mother-in-law were incarcerated in Newgate. When her husband was found guilty of a highway robbery Place interceded with the Home Office to defeat a petitioning movement for his pardon. Place succeeded and his brother-in-law was transported to Australia. Thus, a betrayal is one of the forms that marks the decisive change in Place's life.

In the 1820s when Place composed his autobiography and collated his notebooks on the "grossness" of the former age he was able to write that "pilfering and thieving especially were not then as now almost wholly confined to the very lowest of the people, but were practised by tradesmen's sons, by youths and young men ...thieving had not as yet become a trade to be followed by those who liv'd by it as it has now become." By 1828 he had forgotten the ballad which "points out many of the inconveniences of working and the advantages of thieving." Those which he could remember were no longer sung in the streets.¹

Before the crisis of the 1790s Francis Place studied the writings of Henry Fielding, Blackstone, Hume, and Adam Smith. The effect of their writings upon English society went broad and deep. We don't know what edge they cut upon Francis Place. The deep change of the relation between crime

¹Brit. Mus. Add. MSS., 27825-6 and 35142-7.

and the labouring poor of which Place's personal history is only one aspect finds a parallel in the writings of these men.

We may conclude with a comment upon Adam Smith. The laws of political economy that he expounded in The Wealth of Nations took their first form in a series of lectures delivered in 1763. Subsequently they were published under the interesting title, Lectures on Justice, Police, Revenue, and Arms.¹ We might ask why the problems of "economics" first appeared in Adam Smith's thinking as a problem of police.

"Police," of course meant something different. It referred, wrote Smith, to the regulation of the "inferior parts of government, viz:- cleanliness, security, and cheapness and plenty."² He was most interested in the departments of "cheapness and plenty". His relative neglect of the department of "security," arose not from an accidental preference, but from an argument that asserted that only in the progress of cheapness and plenty could the problem of "security" be solved. Business like habits and industrial discipline are achieved only after the establishment of manufactures: "whenever commerce is introduced into any country probity and punctuality always accompany it."³

¹ed. by Edwin Cannan (1896).

²Smith was not eccentric in this usage. Johnson's Dictionary (1755) employed a similar though less precisely defined meaning. See also Blackstone, Commentaries, IV, xiii, "By the public police and economy I mean the due regulation and domestic order of the Kingdom."

³Smith, op. cit., p. 253.

"The establishment of commerce and manufactures, which brings about this independency, is the best police for preventing crimes."¹ It is a sentence that might well sum up the experience of master hatters or Deptford master shipwrights or the coal undertakers, as indeed it might the main argument of this thesis, were it not for the meaning Smith gives to "independency." He meant those who are independent of the status of feudal retainers because such people are forced to "live upon others." He means free labourers, or those who in Mandeville's words form "the Basis that supports all, the Multitude of Working People."²

Smith's view appears to be the opposite to that which Fielding propounded twelve years earlier. This, we remember, found in the "Independency" of the "Commonalty" the chief cause of crime, not the best source of its prevention. In this thesis we have sought to find in the actual development of social production in London some of the real changes that might provide the basis for a resolution of this contradiction. In regarding the labouring poor, Henry Fielding, the Bow Street magistrate, was struck by its freedom from traditional constraints. Adam Smith, the political economist, was struck by

¹Ibid., 154-155.

²The Fable of the Bees, ed. by Phillip Harth (1970), p.257.

the possibilities for the wealth of nations that this freedom provided. "Independency" outside the establishment of manufacture was one thing; quite different was the "independence" that was the basis for the development of manufacture. Each sees one half of the double reality of free labour: its danger and also, when harnessed, its possibilities.

Far more effective in stopping the disorders of civil society and crimes in particular, than the intensification of police in the modern sense, was the extension of police in the eighteenth century sense, that is, by the development of manufacture. When discipline can be imposed through the labour process not only is a problem solved, but the conditions are altered so that ever-greater accumulation superlucrates. This accomplished, then "police" takes its modern designation, the internal cadres of state repression, and the thing itself comes into being. Historically, this occurred when capital began to revolutionize the instruments of labour having failed to discipline labour directly. The problem of the discipline of the labouring poor is thenceforth divided between the two spheres of social life: the factory and society.

If this suggestion (and at this stage of our work it can be no more than that) is plausible, then several further reflections are in order. First, it is not possible to take a condescending attitude towards the failure of Adam Smith to separate the political and social elements from the economic in his concept of "police," because the unity rests not in a

confusion of thinking but upon a real unity where the themes of crime and labour have not diverged. Second, the history of the eighteenth century that rests on the division between "economic development" and the "social history" of the labouring poor" has failed to apprehend the main characteristic of both capitalist development and the struggles of the labouring poor, that is, that they are in fact but two necessary moments of the single process of accumulation. The basis of the accumulation characteristic of the Industrial Revolution was laid by the failures of "police" against the labouring poor. The creation of the police in the nineteenth century was made possible by the organization of discipline within production.

APPENDIX I

INDICTMENTS IN LONDON, 1699 - 1755

INDIOTMENTS IN LONDON, 1699 - 1755

Month	Middlesex			City	Total
	Trespass	Felony	Total		
Year 1699					
January	134	116	250		
February					
March	96	104	200		
April	240	91	331		
May	90	87	177		
June					
July	178	108	286		
August					
September	227	129	356		
October	247	68	315		
November					
December	138	106	244		
Total	1350	809	2159		
Year 1700					
January	121(1)	62	183		
February	75	83	158		
March					
April	307	113	420		
May	141	87	228		
June					
July	179	102	281		
August	145	80	225		
September					
October	270(1)	113	383		
November					
December	128	102	230		
Total	1366	742	2108		
Year 1701					
January	85	80	165		
February					
March	70	92	162		
April	229	66	295		
May					
June	67	45	112		
July	162	55	217		
August					
September	154	61	215		
October	156	55	211		
November					
December	119	72	191		
Total	1042	526	1568		

INDICTMENTS IN LONDON, 1699 - 1755

Month	Middlesex			City	Total
	Trespass	Felony	Total		
Year 1702					
January	78	59	137		
February	112	62	174		
March					
April	141	47	188		
May	55	28	83		
June					
July	138	71	209		
August					
September	221	51	272		
October	96	53	149		
November					
December	94	82	176		
Total	935	453	1388		
Year 1703					
January	41	50	91		
February	94	61	155		
March					
April	96	51	147		
May	82	30	112		
June					
July	149	65	214		
August					
September	139	40	179		
October	124	30	154		
November					
December	95	80	175		
Total	820	407	1227		
Year 1704					
January	53	33	86		
February					
March	96	85	181		
April	104	50	154		
May					
June	82	47	129		
July	120	52	172		
August					
September	134	56	190		
October	71	34	105		
November					
December	102	48	150		
Total	762	405	1167		

INDICTMENTS IN LONDON, 1699 - 1755

Month	Middlesex			City	Total
	Trespass	Felony	Total		
Year 1705					
January	87	23	110		
February	56	40	96		
March					
April	123	26	149		
May	97	22	119		
June					
July	80	25	105		
August	213	51	264		
September					
October	99	59	158		
November					
December	113	49	162		
Total	868	295	1163		
Year 1706					
January	156	36	192		
February	63	51	114		
March					
April	56	40	96		
May	67	20	87		
June					
July	117	69	186		
August	142	29	171		
September					
October	107	41	148		
November					
December	114	43	157		
Total	822	329	1157		
Year 1707					
January	80	33	113		
February	88	35	123		
March					
April	92	55	147		
May	79	30	109		
June					
July	135	43	178		
August					
September	202	39	241		
October	169	44	213		
November					
December	99	49	148		
Total	944	328	1272		

INDICTMENTS IN LONDON, 1699 - 1755

Month	Middlesex			City	Total
	Trespass	Felony	Total		
Year 1708					
January	69	36	105		
February	65	36	101		
March					
April	111	24	135		
May	61	22	83		
June					
July	125	54	179		
August					
September	200	41	241		
October	104	30	134		
November					
December	80	53	133		
Total	815	296	1111		
Year 1709					
January	83	18	101		
February	106	39	145		
March					
April					
May	47	33	80		
June	76	26	102		
July	103	51	154		
August					
September	148	46	194		
October	173	37	210		
November					
December	132	62	194		
Total	868	312	1180		
Year 1710					
January	72	30	102		
February	109	76	185		
March					
April	149	52	201		
May	71	46	117		
June					
July	140	47	187		
August					
September	203	74	277		
October	59	29	88		
November					
December	143	81	224		
Total	946	435	1381		

INDICTMENTS IN LONDON, 1699 - 1755

Month	Middlesex			City	Total
	Trespass	Felony	Total		
Year 1711					
January	99	42	141		
February	77	55	132		
March					
April	89	54	143		
May	114	60	174		
June					
July	197	75	272		
August					
September	181	82	263		
October	125	48	173		
November					
December	69	59	128		
Total	951	475	1426		
Year 1712					
January	188	47	135		
February	133	71	204		
March					
April	148	64	212		
May					
June	93	39	132		
July	155	47	202		
August					
September	118	64	182		
October	106	46	152		
November					
December	107	64	171		
Total	948	442	1390		
Year 1713					
January	124	67	191		
February	96	62	158		
March	110	52	162		
April	118	52	170		
May	72	39	111		
June					
July	159	56	215		
August					
September	259	91	350		
October	109	62	171		
November					
December	163	84	247		
Total	1100	513	1613		

INDICTMENTS IN LONDON, 1699 - 1755

Month	Middlesex			City	Total
	Trespass	Felony	Total		
Year 1714					
January	89	62	151		
February	100	90	190		
March					
April	87	55	142		
May	76	54	130		
June	133	79	212		
July					
August					
September	128	82	210		
October	97	48	145		
November					
December	127	103	230		
Total	837	573	1410		
Year 1715					
January	84	62	146	30	176
February	112	82	194	27	221
March					
April	116	103	219	58	277
May	96	67	163	28	191
June				31	31
July	147	76	223	60	283
August					
September	140	56	196	35	231
October	104	65	169	32	201
November					
December	79	69	148	46	194
Total	878	580	1458	337	1795
Year 1716					
January	49	76	125	26	151
February	49	78	127	65	192
March					
April	84	53	137	33	170
May	90	73	163	37	200
June					
July	170	78	248	90	338
August					
September	167	131	298	87	385
October	123	54	177	34	211
November					
December	98	92	190	43	133
Total	830	635	1465	415	1880

INDICTMENTS IN LONDON, 1699 - 1755

Month	Middlesex			City	Total
	Trespass	Felony	Total		
Year 1717					
January	113	64	177	33	210
February	113	89	202	61	263
March					
April	135	95	230	42	272
May				32	32
June	78	63	141	40	181
July	100	55	155	38	193
August					
September	178	71	249	72	321
October	110	63	173	53	226
November					
December	92	99	196	48	244
Total	924	599	1523	419	1942
Year 1718					
January	95	81	176	34	210
February	113	57	170	59	229
March					
April	88	86	174	46	220
May	45	51	96	39	135
June					
July	131	90	221	42	263
August					
September	172	100	272	69	341
October	108	65	173	42	215
November					
December	143	81	224	50	274
Total	895	611	1506	381	1887
Year 1719					
January	77	78	155	41	196
February	106	79	185	76	261
March					
April	81	40	121	52	173
May	59	71	130	32	162
June					
July	150	76	226	55	281
August					
September	161	76	237	69	306
October	188	42	230	31	262
November					
December	66	74	140	33	173
Total	888	536	1424	389	1813

INDICTMENTS IN LONDON, 1699 - 1755

Month	Middlesex			City	Total
	Trespass	Felony	Total		
Year 1720					
January	91	65	156	50	206
February	105	66	171	31	202
March				24	24
April	108	69	177	66	243
May				23	23
June	72	48	120	18	138
July	148	60	208	33	241
August					
September	171	60	231	55	286
October	112	38	150	37	187
November					
December	103	69	172	59	231
Total	910	475	1385	396	1781
Year 1721					
January	116	49	165	37	202
February	123	89	212	26	238
March				36	36
April	86	57	143	53	196
May	79	83	162	43	
June					
July	121	76	197	57	254
August	117	62	179	51	230
September					
October	123	48	171	44	215
November					
December	161	90	251	83	334
Total	926	554	1480	430	1910
Year 1722					
January	95	50	145	41	186
February	149	97	246	57	303
March					
April	86	60	146	50	196
May	74	57	131	32	163
June					
July	148	69	217	57	274
August					
September	181	102	283	71	354
October	163	36	199	38	237
November					
December	73	65	138	39	177
Total	969	536	1505	385	1890

INDICTMENTS IN LONDON, 1699 - 1755

Month	Middlesex			City	Total
	Trespass	Felony	Total		
Year 1723					
January	108	41	149	51	200
February	116	89	205	65	270
March					
April	126	79	205	58	263
May	88	59	147	38	185
June					
July	71	55	126	54	180
August	185	72	257	48	305
September					
October	161	73	234	57	291
November					
December	120	51	171	40	212
Total	975	519	1494	412	1906
Year 1724					
January	101	87	188	45	233
February	191	95	286	80	366
March					
April	98	28	126	28	154
May	79	32	111	48	159
June					
July	151	77	228	47	275
August	131	81	212	48	260
September					
October	197	92	289	81	370
November					
December	62	102	164	50	214
Total	1010	594	1604	425	2029
Year 1725					
January	106	95	201	53	254
February	95	83	178	43	221
March					
April	74	76	150	61	211
May	91	72	163	31	194
June	160	102	262	53	315
July					
August	94	102	196	94	290
September					
October	139	78	217	68	285
November					
December	116	132	248	74	322
Total	875	740	1615	477	2092

INDICTMENTS IN LONDON, 1699 - 1755

Month	Middlesex			City	Total
	Trespass	Felony	Total		
Year 1726					
January	38	57	95	29	124
February	73	149	222	29	251
March				37	37
April	101	107	208	50	258
May	44	57	101	36	137
June					
July	112	92	204	68	272
August	107	94	201	54	255
September					
October	171	64	235	50	285
November					
December	113	88	201	67	268
Total	759	708	1467	420	1887
Year 1727					
January	76	80	156	35	191
February	91	87	178	53	231
March					
April	106	85	191	54	245
May	54	51	105	35	140
June					
July	156	82	238	58	296
August	168	87	255	48	303
September					
October	141	43	184	31	215
November					
December	71	74	145	62	207
Total	863	589	1452	376	1828
Year 1728					
January	80	69	149	60	209
February	92	88	180	56	236
March					
April	130	142	272	89	361
May					
June	87	47	134	34	168
July	132	54	186	76	262
August	160	80	240	47	287
September					
October	214	76	290	70	360
November					
December	95	94	189	55	244
Total	990	650	1640	487	2127

INDICTMENTS IN LONDON, 1699 - 1755

Month	Middlesex			City	Total
	Trespass	Felony	Total		
Year 1729					
January	112	96	208	48	256
February	87	104	191	62	253
March					
April	110	92	202	81	283
May	73	74	147	39	186
June					
July	159	96	255	82	337
August	146	61	207	62	269
September					
October	152	130	282	76	358
November					
December	106	99	205	61	266
Total	945	752	1697	511	2208
Year 1730					
January	77	82	159	80	239
February	91	101	192	69	261
March					
April	125	79	204	85	289
May	107	63	170	53	223
June	179	104	283	33	316
July				38	38
August	246	111	357	86	443
September					
October	208	97	305	138	443
November					
December	76	126	202	84	286
Total	1109	763	1872	666	2538
Year 1731					
January	96	94	190	64	254
February	70	62	132	49	181
March					
April	137	118	255	83	338
May				40	40
June	60	57	117	20	137
July	123	97	220	56	276
August					
September	186	93	279	101	380
October	157	83	240	64	304
November					
December	105	111	216	91	307
Total	934	715	1649	568	2217

INDICTMENTS IN LONDON, 1699 - 1755

Month	Middlesex			City	Total
	Trespass	Felony	Total		
Year 1732					
January	94	63	157	43	200
February	95	68	163	32	195
March					
April	162	95	257	63	320
May	79	120	199	52	251
June					
July	138	80	218	67	285
August	221	103	324		324
September				111	111
October	123	56	179	46	225
November					
December	111	86	197	74	271
Total	1023	671	1694	488	2182
Year 1733					
January	93	79	172	40	212
February	112	69	181	71	252
March					
April	101	80	181	63	244
May	94	67	161	44	205
June	131	73	204	54	258
July					
August	253	148	401	22	401
September				22	22
October	146	63	209	40	249
November					
December	104	111	215	65	280
Total	1034	690	1724	399	2123
Year 1734					
January	68	82	150	40	190
February	79	74	153	77	230
March					
April	135	73	208	78	286
May	95	59	154	32	186
June					
July	123	62	185	55	240
August	177	95	272		272
September				165	165
October	107	54	161	33	194
November					
December	89	109	198	81	279
Total	873	608	1481	561	2042

INDICTMENTS IN LONDON, 1699 - 1755

Month	Middlesex			City	Total
	Trespass	Felony	Total		
Year 1735					
January	58	93	151	63	214
February	83	112	195	58	253
March					
April	120	96	216	64	280
May	58	57	115	38	153
June	125	91	216	51	267
July				26	26
August	178	173	351		351
September				88	88
October	130	41	171	65	236
November					
December	107	110	217	84	301
Total	859	773	1632	537	2169
Year 1736					
January	66	76	142	41	183
February	101	75	176	46	222
March					
April					
May	163	148	311	80	391
June	89	97	186	61	247
July	140	84	224	62	286
August					
September	158	135	293	72	365
October	97	56	153	63	216
November					
December	86	166	252	69	321
Total	900	837	1737	494	2231
Year 1737					
January	120	81	201	41	242
February	42	96	138	27	165
March					
April	145	105	250	68	318
May	108	80	188	44	232
June					
July	146	59	205	75	280
August					
September	185	104	289	80	369
October	106	58	164	72	236
November					
December	110	140	250	82	332
Total	962	723	1685	489	2174

INDICTMENTS IN LONDON, 1639 - 1755

Month	Middlesex			City	Total
	Treasurer	Felony	Total		
Year 1738					
January	777	666	1143	42	185
February	991	831	1172	73	245
March					
April	1256	1055	2311	53	284
May	76	700	1146	50	196
June	1853	822	2655	75	340
July					
August					
September	1937	1133	3110	71	381
October	1441	631	2022	27	229
November					
December	1482	994	2442	50	292
Total	1039	672	1711	441	2162
Year 1739					
January	833	688	1151	46	197
February	800	1066	1866	43	229
March					
April	11177	1337	254	38	292
May				20	20
June	1001	733	1174	52	226
July	11700	599	229	64	293
August	1114	788	1922		192
September				63	63
October	1231	688	189	62	251
November					
December	1233	888	211	55	266
Total	909	677	1535	443	2029
Year 1740					
January	1000	831	131	55	236
February	77	788	152	33	193
March					
April	1188	788	196	33	234
May	95	733	163	43	216
June					
July	102	77	179	53	232
August	159	87	246		246
September				55	55
October	131	966	227	64	291
November					
December	112	1466	253	74	332
Total	394	716	1610	425	2035

EDICTMENTS IN LONDON, 1699 - 1755

Month	Middlesex			City	Total
	Trespass	Felony	Total		
Year 11741					
January	76	115	191	38	229
February	70	127	197	60	257
March					
April	51	79	130	40	170
May	52	52	104	47	151
June	101	112	213	25	238
July				22	22
August	131	112	293	60	353
September					
October	154	75	229	70	299
November					
December	78	93	171	58	229
Total	763	765	1528	420	1948
Year 11742					
January	77	86	163	46	209
February	64	64	128	61	189
March					
April	101	104	205	69	274
May					
June	83	35	118	40	158
July	105	79	184	63	247
August					
September	127	74	201	57	258
October	145	55	200	37	237
November					
December	64	71	135	60	195
Total	766	568	1334	433	1767
Year 11743					
January	34	70	154	44	198
February	41	71	112	38	150
March					
April	89	58	147	41	188
May	61	40	101	27	128
June	119	62	181	67	248
July					
August					
September	154	115	269	77	346
October	140	36	176	37	213
November					
December	129	84	213	62	275
Total	817	536	1353	393	1746

INDICTMENTS IN LONDON, 1699 - 1755

Month	Middlesex			City	Total
	Trespass	Felony	Total		
Year 1744					
January	56	45	101	36	137
February	57	64	121	35	156
March					
April	72	51	123	35	158
May	71	52	123	36	159
June	128	65	193	66	259
July					
August					
September	238	91	329	76	405
October	216	40	256	41	297
November					
December	98	114	212	69	281
Total	936	522	1458	394	1852
Year 1745					
January	73	50	123	33	156
February	100	32	132	35	167
March					
April	147	67	214	58	272
May	81	49	130	41	171
June					
July	105	48	153	44	197
August					
September	202	73	275	56	331
October	162	40	202	27	229
November					
December	111	59	170	67	237
Total	981	418	1399	361	1760
Year 1746					
January	77	67	144	38	182
February	53	63	116	19	135
March					
April	83	86	169	28	197
May	77	55	132	33	165
June				31	31
July	140	54	194		
August					
September	149	68	217	40	257
October	122	55	177	40	217
November					
December	120	94	214	44	258
Total	821	542	1363	273	1636

INDICTMENTS IN LONDON, 1699 - 1755

Month	Middlesex			City	Total
	Trespass	Felony	Total		
Year 1747					
January	69	137	206	42	248
February	79	62	141	35	176
March					
April	109	60	169	42	211
May					
June	56	42	98	17	115
July	101	68	169	45	214
August					
September	139	87	226	42	268
October	91	47	138	44	182
November					
December	104	86	190	43	233
Total	748	589	1337	310	1647
Year 1748					
January	56	50	106	32	138
February	61	31	142	35	177
March					
April	104	104	208	47	255
May	84	63	147	27	174
June					
July	177	81	258	48	306
August					
September	157	99	256	64	320
October	140	63	203	27	230
November					
December	129	121	250	55	305
Total	908	662	1570	335	1905
Year 1749					
January	112	165	277	39	316
February	101	108	209	45	254
March					
April	97	103	200	46	246
May	79	70	149	47	196
June					
July	160	125	285	71	356
August					
September	124	153	277	91	368
October	122	86	208	56	264
November					
December	115	111	226	68	294
Total	910	921	1831	463	2294

INDICTMENTS IN LONDON, 1699 - 1755

Month	Middlesex			City	Total
	Trespass	Felony	Total		
Year 1750					
January	92	76	168	70	238
February	121	119	240	68	308
March					
April	145	92	237	49	286
May	82	53	135	41	176
June					
July	127	99	226	60	286
August					
September	196	144	340	82	422
October	105	64	169	72	241
November					
December	93	93	186	67	253
Total	951	740	1701	509	2210
Year 1751					
January	94	91	185	42	227
February	130	85	215	41	256
March					
April	94	77	171	63	234
May	70	67	137	38	175
June					
July	112	69	181	49	230
August					
September	167	89	256	80	336
October	109	74	183	47	230
November					
December	68	48	116	59	175
Total	844	600	1444	419	1863
Year 1752					
January	74	75	149	31	180
February	58	59	117	39	156
March					
April	32	78	160	55	215
May	55	46	101	45	146
June	100	79	179	56	235
July					
August	136	106	242		242
September				51	#51
October	97	65	162	54	216
November					
December	117	55	172	38	210
Total	719	563	1282	369	1651

INDICTMENTS IN LONDON, 1699 - 1755

Month	Middlesex			City	Total
	Indictment	Felony	Total		
Year 1753					
January	109	43	157	28	185
February	73	72	145	41	186
March					
April	99	83	182	60	242
May				7	7
June	71	57	128	30	158
July	117	54	171	60	231
August					
September	124	67	191	66	257
October	117	74	191	59	250
November					
December	67	65	132	44	176
Total	777	520	1297	395	1692
Year 1754					
January	103	63	171	52	223
February	85	87	172	50	222
March					
April	110	81	191	50	241
May	49	58	107	32	139
June					
July	146	60	206	52	258
August					
September	142	81	223	63	286
October	123	41	164	54	218
November					
December	121	37	158	30	188
Total	984	508	1392	383	1775
Year 1755					
January				41	41
February				34	34
March					
April				28	28
May				50	50
June				38	38
July					
August					
September				72	72
October				31	31
November					
December				44	44
Total				338	338

APPENDIX II

FOUR TABLES COMPARING THE NUMBER OF INDICTMENTS
TO OTHER "SOCIAL FACTS"

TABLE XVI

MONTHLY PRICES OF WHEAT AND MONTHLY NUMBER OF ASSAULTS AND THEFTS
IN LONDON IN 1740

Month	Wheat (s./qtr.)		Assaults	Thefts
	Victualling Board	Bear Key		
Jan.	-	27	45	62
Feb.	29.42	27	44	44
March	33.42	29	65	69
April	37.42	29	62	48
May	47.34	32	55	64
June	54.96	54	47	73
July	50.34	54	68	63
Aug.	46.67	54	125	53
Sept.	45.33	27	68	72
Oct.	34.50	32	57	80
Nov.	39.71	34	66	82
Dec.	44.83	34	54	91

TABLE XVIIBAPTISMS AND BURIALS IN LONDON DURING THE FIRST
HALF OF THE EIGHTEENTH CENTURY¹

Year	Baptisms	Burials	Burials Exceeding Baptisms
1710	16585	20587	4002
1720	15464	23701	8237
1730	18906	25976	7070
1740	17779	31085	13306
1750	17080	25563	8483

¹ These figures are taken from M.D. George, op. cit., p. 397, Appendix I ("Vital Statistics"), who has summarized them from Populations Returns, vol. II, pp. 44 ff. London includes the City within and without the Walls, Westminster, twenty-two out-parishes and Kensington, Chelsea, St. Marylebone, Paddington, and St. Pancras.

TABLE xviii

BURIALS AND INDIOTMENTS FOR TRESPASS IN THREE LONDON PARISHES,
1721 - 1739.

Year	Clerkenwell		Covent-Garden		St. Giles-in-the-Fields	
	Burials	Ind.	Burials	Ind.	Burials	Ind.
1721	516	47	253	15	1841	130
1722	565	51	245	3	1626	143
1723	572	30	271	10	1872	128
1724	495	42	234	13	2032	87
1725	543	22	249	12	1671	111
1726	638	39	293	15	1740	72
1727	618	38	243	4	1661	89
1728	627	26	277	9	1481	108
1729	634	23	286	20	1579	103
1730	511	33	241	40	1405	141
1731	605	40	212	19	909	129
1732	540	51	251	20	807	109
1733	596	42	261	22	1002	111
1734	479	55	238	17	961	157
1735	522	67	254	25	1126	93
1736	608	36	292	14	1166	125
1737	430	40	274	19	1123	100
1738	547	55	288	21	973	112
1739	519	27	294	20	985	95

TABLE XIX

AVERAGE MONTHLY BURIALS AND INDICTMENTS FOR TRESPASS IN THREE
LONDON PARISHES, 1721 - 1739

Month	Clerkenwell		Covent-Garden		St. Giles-in-the-Fields	
	Burials	Ind.	Burials	Ind.	Burials	Ind.
Jan.	51	4.3	23	1.2	127	9.6
Feb.	44	3.6	22	2.7	116	13.0
Mar.	47	-	22	-	117	-
Apr.	42	5.2	23	2.1	98	16.4
May	44	3.1	22	1.4	98	8.0
Je.	39	-	18	-	89	-
July	41	5.0	18	2.7	88	16.7
Aug.	49	8.5	20	2.7	103	21.7
Sept.	52	-	21	-	116	-
Oct.	50	6.1	21	2.4	100	15.0
Nov.	47	-	22	-	106	-
Dec.	46	4.0	25	1.2	111	14.6

APPENDIX III

THE EXAMINATION OF JAMES BYE

The Examination of James Bye taken this Day upon Oath before me one of his Majestys Justices of the peace for the City of London and the Liberties thereof at the Guildhall of the said City.

Saith That he this Examinant in Company with John Jeffs and Joseph Lucas about two Months ago met at the said Lucas's House against Old Street Church from whence they went out together a Thieving and met with a Coach which they followed until it came to a Lumber Yard in Wardour Street in Expectation of getting a great Coat, of which they were disappointed that then they went up Wardour Street and saw a Door open so Jeffs went in tryed to open the back Parlour Door but could not and two Men and a Woman coming over the way finding Jeffs in the Entry cryed out who is there, Jeffs answered here is one, they then asked who he wanted, he answered Mr. Jones a Cabinet Maker (a Cant Name) did he not live there on which Jeffs came out and they separated themselves but Jeffs looking thro' the Hole of the Window Shutter cryed out this is him which means we can get something so we waited sometime till the People of the House went out of the Room to an Alehouse over the way whereon they all went into the Entry and Jeffs and Lucas broke open a Parlour Door that was in the Middle which they found some Difficulty in on Account of a Chest of Drawers then Lucas ordered this Examinant to light the Glim which is a dark Lanthorn, which he accordingly did at a Chandlers Shop at a little distance off and because he did not return quick enough Lucas came to the Door in a Passion and met him with the Lanthorn and took it from him and Lucas and this Examinant entered the Room and found a Bunch of Keys in the lower Drawer. first theu took a Mans Coat off the Bed then a Tea Chest from off a China Table and after they took out of the lower Drawers all the Things that were therein all which said Goods they put into a Bagg they took with them for that Purpose but Lucas being asked why he did not open the upper Drawer for they always put Money there, This Examinant was ordered to keep a good look out when a Man came out of the Alehouse with a Candle whereon this Examinant cry'd out Jones (which is a Signal to come out) then the Man went in and found the Door open where finding Jeffs he threw him upon the Bed whereon Lucas cryed out Damn my Eyes kill him, kill him and get the Man down by Means whereof they all made their Escapes and left the Man crying out Thieves with the dark Lanthorn on the Table where the China was as also the Bag in the Room with the Things in it.

Saith That he this Examinant and the said Jeffs together with one Richard Horton otherwise Toss off Dick and the said Joseph Lucas went the Friday before Easter towards Grays Inn till they came to Hand Court

in Holbourn where Lucas lifted up the Latch of the Street Door of a Watchmakers and he and Lucas went into the Entry and ordered Toss off Dick and Jeffs to stand at the Door while this Examinant went and lighted the dark Lanthorn, at his Return he found Lucas in a fore Parlour who cryed out Damn your Eyes what made you stay so long whereon he gave him the Lanthorn. That Lucas took out of a Chest of Drawers a Parcell of Womens Cloaths and put them into an Apron that Jeffs had on and ordered him to go and wait behind a Dunghill by Grays Inn Gate till they came to him thereon this Examinant with Toss off Dick and Lucas brought away as many Things more as they could carry in their Arms Flaps of their Coats and Pockets and carryed them to Jeffs by Grays Inn Gate where this Examinant pulled off his Coat and laid it on the Dunghill and put as many Things therein as it wou'd contain, then Jeffs pulled off his Apron with the Things that were in it and put as many Things more therein as it could contain and tied it up then Lucas and Jeffs returned to the Watchmakers and brought back as many more Things as they could amongst which were several Childrens Things two Gowns without Sleeves and a red Damask Cape with a Gold Button on the Top which they likewise left with this Texaminant and Toss off Dick Then Lucas and Jeffs went again to the House and brought back Several Shirts and Childrens Things Part of which Jeffs brought in his Wastecoat and Lucass as many as he could bring in his Pockett all which Things they carryed to one Mrs Lucas who lives with the said Joseph Lucas as his Wife at their Lodgings over Against Old Street Church aforesaid where they tapped at the Window and she let them in where Toss off Dick left them after much Perswasion that Night the Rest promising not to diminish any Thing until his Return in the Morning when they all agreed to send for Ann Collyer a Person who buys stolen Goods and then lived in Castle Street near the seven Dyals That accordingly this Examinant went the next Day with Lucas and Jeffs to shew them her House to wait till She had done where Jeffs brought him Word that Collyer wou'd give no more than forty Shillings for them which this Examinant wou'd not consent to Then Lucas told them he could sell them to one Elianor Young in Moor Lane which they all agreed to and accordingly they were sold to her for two Guineas and they divided half a Guinea apiece out of which this Examinant paid Lucas eight Shillings in part for a Wigg which he now wears That Toss off Dick being absent without his Knowledge they divided twelve of the Shirts above mentioned between this Examinant Jeffs and Lucas each having four apiece.

Saith That John Jeffs and Joseph Lucas aforesaid and he this Examinant went out on Easter Monday last in order to seek for prey and in Goswell Street at a House with a red Door they looked thro' the Window and saw Company drinking Tea or Coffee in a back Parlour where Jeffs lifted up the Latch of the Street Door and Lucas entered the House and opened the Door of a fore Parlours and returned back to the Street Door to this Examinant and Jeffs and told them there was a Chance when this Examinant went into the said fore Parlour where Jeffs held the Parlour

Door and Lucas stood at the Street Door and there he this Examinant took a Black Bonnett and a Scarlet Cloak and came out creeping on the Ground (by Reason of a Sash Door that was in the Partition where the Company were) which he gave to Jeffs, and Lucas asked if there was nothing else and if there was not a Key in the Bureau for they had seen the Bureau two or three Days past, this Examinant answered No; Lucas wou'd not believe this Examinant but went in himself and soon after returned with a flower'd Wastecoat with Gold Buttons and Button Holes and a pair of Breeches with Leather Linnings which he gave to Jeffs in the Entry who put them into his Apron while Lucas returned back into the said Parlour and soon brought out a Mans Coat which he likewise gave to Jeffs who went out of the House and left this Examinant at the Door, then Lucas went again into the said Parlour and brought out another Coat with six Shirts and blamed this Examinant for not seeing the Key of the Bureau, then they went with the above Things towards Old Street Church and in their way thither they went up an Alley and put all the Things into a Bagg they had with them for that Purpose and carryed them all to the said Mrs. Lucas except three Shifts which they divided between them and left them till the next Morning when Joseph Lucas did on Condition this Examinant and Jeffs shou'd stay at one Hannah Stansbridge's in Old Street who keeps a Ginn Shop and where they used to drink because Elianor Young would not buy them of any Body but the said Lucas himself That accordingly they waited at Stansbridge's till Lucas came to them who brought Word that Young would give no more than a Guinea for all the Goods which after some time they agreed to take and Lucas paid seven Shillings each, out of which this Examinant paid Lucas two Shillings more towards the Wigg he now wears.

Saith That he this Examinant together with the said Jeffs and Joseph Lucas went all towards Saint Ann's Church about two Months ago and at the Corner of Nassau Street about ten o'clock at Night, Lucas cryed out there is a Chance and said to this Examinant try if you can jump the Glaze (which is lift the Window up) That this Examinant leaned over the Rails and lifted up a Sash about two Fingers when Lucas said to him, let me come I have a longer Reach than You so he leaned over the Rails and Lifted the Sash up higher and got his Body in and pulled out a black Coat which he grought to this Examinant who put it into a Bag Then Jeffs and Lucas went back to the Window and soon after returned to this Examinant who was standing to watch at a Distance with a black Embossed Wastecoat and a deep brim'd Hat (there was likewise a Stock which was dropped by the way) which he likewise put into a Bagg which this Examinant then delivered to Jeffs then this Examinant returned with Lucas to the Window again where this Examinant had almost got his Body in when Lucas called out Jones (which is a Signal that some Body was Coming) So he was prevented going in again by the Maids coming to shut the Window on which this Examinant and Lucas not finding Jeffs picked up some Books &c which were dropt all which were carryed to Lucas's where they found Jeffs with the Bagg and Things which they sold to Mrs. Lucas for

twelve Shillings and sixpence (the sixpence they spent the next Morning) and divided four Shillings each.

Saith That this Examinant, ---- Payne otherwise Blue Skin and Joseph Lucas about a Month ago went out towards the Fields by Old Street Church and came to Brick Lane where they looked in at a Window near the Corner where they saw a red Knapt Cloack in Apron and a Black Silk Bonnett where Lucas lifted up the Sash and Blue Skin went in and this Examinant and Lucas shut down the Sash and watched on the other Side of the Way till Blue Skin brought out the above mentioned Cloak Apron and black Silk Bonnett which they carried to Mrs. Lucas and sold them to her by Consent for three Shillings and shared the Money next Morning amongst them.

Saith That he this Examinant together with the said Payne otherwise Blue Skin Richard Horton otherwise Toss off Dick Thomas Clark (and one Jemmy not taken) all went out about three Weeks ago in order to Pick Pockets and they got as many Handkerchiefs that Night as were sold by Blue Sking and Toss off Dick for two Shillings to William Neal in a Yard in Bridgewater Gardens while this Examinant and the others tood at the Door, from thence they went to Barbican where this Examinant stood talking with some Women and Toss off Dick with him they being his Acquaintance soon after Blue Skin Clark and Jemmy returned with a great Coat on his Back, this Examinant asked him where he got it he answered off a Rattle (which is a Coach) then they all resolved to go to a Chimney Sweepers in Thatched Alley Field Lane where Blue Sking Lodged and about eleven or twelve oClock that Night going down Long Lane Smithfield they met with a Shortish Man in a White Wigg broad brim'd Hat and a light Coloured Coat, Blue Skin and Clark said he is in Liquor lets strip him and accordingly Jemmy took him under a Geteway he being Senseless with Liquour and Blue Skin took off his Hat and put it on his own Head and put his own under a Great Coat which he wore then Clark said lets strip him but this Examinant perswaded him not being the Watch would soon be there so they left him and went to the Chimney Sweepers and sent a Woman whose Name is Hannah ---- and passeth for Blue Skin's Wife to pawn the Hat which she did for three Shillings and gave this Examinant and the Accomplices but two Shillings so they divided sixpence each.

Saith That he this Examinant about the fifth or Sixth of April last met with John Jeffs at one Hawkin's who keeps a Ginn Shopp at Golden Lane where they drank together and agreed to go out together that Evening and in a Street by Bloomsbury Market Jeffs lifted up the Latch and open'd the Back Door of a Distillers and went into the Parlour and brought out a Blue Grey Coat and a Hat, The Coat Jeffs put over his own Cloaths and the Hat on his Head which they offerred to one Mrs. Clayton an old Cloaths Woman in Glocester Court in White Cross Street but she refused buying them so they were lodged in her Cellar unknown to her until the next Morn-

ing when they carryed them to one Elizabeth Cane in Newgate who is since transported and sold them to her for Seven Shillings and sixpence to the best of this Examinants Remembrance which was divided betwixt him and Jeffs.

Saith That he this Examinant with George Broom and Thomas Anderson went out together towards Saint Anns Church hear Saint Gyles into a Court through Crown Court where they saw a Toyshop and Milliners Shop together, there was a double Hatch at the Door where Broon opened the Door (while Anderson and this Examinant stood on the other Side of the Way) and snatched a Mantelet that was hanging up in the Milliners Shop and ran away with it which he carryed to Church Lane and sold it to Susannah Clark for four Shillings and then shared Sixteen Pence each.

Saith That this Examinant with John Martin and John Jeffs went out about three Weeks ago in order to rob and as they went towards Clerkenwell Green in red Lyon Street down a Court Yard they found some Linnen hanging out in a Gallery which they did not think proper then to take so Jeffs went away and promised to come to them again but did not, so Martin and this Examinant went away Home with Intent to go to Bed together at Mrs. Lucas's where they lodged but instead of Going to Bed they agreed to go again after the said Linnen being in Want of Money and Mrs. Lucas asked what they got up for they said they were going after something they had seen accordingly they went out and desired Mrs. Lucas not to shut them out That when they came to the said Court Yard where the Linnen was there were two Doggs that bark'd which Martin not regarding got up upon a Door into the Gallery where the Linnes was and bundled the same up and toss'd it down to this Examinant which they carryed to Lucas's where she came up Stairs to them into the Room where they lay and examined the Linnen and found a Parsons Surplice a Womans flowered Gown darned on the back three or four Aprons two old Shifts and three or four Shirts, the Next Morning they offerred all the Goods except the Old Shifts and a Shirt to Mrs. Lucas for twelve Shillings which she refused to give so she sent for Susanna Clark to look at them who at last gave them thirteen Shillings for them and this Examinant and the said Martin agreed to send one Shilling out of it to the said Lucas's Husband who was in Newgate then Martin and this Examinant divided the twelve Shillings remaining between them and as to the two old Shifts they were by Consent given to Martin's Mother just come out of Newgate and the Shirt Martin himself had in Lieu of a Hat of his, this Examinant had out of Pawn.

Saith That he this Examinant John Jeffs and John Martin all went out together about fourteen Days ago with Intent to rob and he this Examinant took a Hanger and a dark Lanthorn with him and they went into a Court near Red Lyon Street Clerkenwell where they saw a Door open and People drinking in the Parlour, after some Consultation, Martin went up a pair of Stairs in the said House and a Boy came out and shut

the Door after him and Jeffs lifted up the Latch and opened it again and soon after Martin threw a Quilt two or three Blankets and one Sheet out of the Window which Jeffs caught and gave to this Examinant who carryed them to the other Side of the Way, when Martin and Jeffs came out of the Court and cry'd Halloe! then Jeffs took the Hanger from this Examinant and bid him come along and fear nothing so they went up a Yard and spread the Quilt and put all the Things into it and carryed them to Mrs. Lucas's who examined them and after some Words gave them five Shillings for them which they shared amongst them and had twenty pence each.

Saith That he this Examinant together with the said Martin and Jeffs went out again on a Saturday Evening about a Day or two after the said Robbery into Eagle Street the Back of the Vine Tavern in Holbourn and Jeffs went into the Entry of a Chandlers Shop next Door to the said Tavern with an Intent to get the Money Drawer which they called a Lob but Jeffs returned saying twas impossible so Martin went in and endeavoured to get a Coat which hung behind the Door but a Woman coming in prevented him so he came out again and brought the Coat out which was a Mans brown Coat with a Cape double Breasted and Lined with Red which Martin put on and carryed it to Mrs. Lucas's where they found her very much in Liquor so they got a Young Woman that lodged at Lucas's to pawn the Coat at the Sign of the Tea Table the Corner of Grub Street for seven Shillings and shared the Money between them saving one Shillings they gave her for her Trouble which she gave them back again for a pair of Sheets which they had stole the same Night out of a House in a Court near Leather Lane by Jeffs lifting up a Latch of a Door and went in and brought them out while Martin and this Examinant stood at the Door.

Saith That he this Examinant with the said Jeffs and Joseph Lucas about eight or ten Days before Easter went towards Clerkenwell where they went by a House where they saw some Linnen lay in the Window and Jeffs lifted up the Sash a little way and put in his Hand and took out a Piece of Cambrick which he brought to this Examinant at the Corner of the Street and which this Examinant put into his Apron and Jeffs and Lucas said they could strip the Kin (that is the Parlour) and bid this Examinant stay where he was and they went back again to the House where Jeffs made an Attempt to get in at the Window but was prevented by People coming by so that they all loitered about for the Space of a Quarter of an Hour and could do nothing more that Night so returned Home with the Piece of Cambrick to Mrs. Lucas which she pawned with a pair of Mans Shoes and a pair of Women's Pumps they took out of a Shop in a Court that goes into Charter House Square out of Long Lane for five Shillings which they divided amongst them and had twenty pence each.

Saith That he this Examinant with the said Jeffs about the ninth or tenth of April last went towards Saint Anns near Saint Gyles's in order to rob, at length they came to a Street near Tyburn Road where many Houses have been pulled down and opened the Door of a House near the Tallow Chandlers at the Corner of the Street which was only latched and went in and brought out a Quilt two or three Blankets a pair of Sheets a Coat and a Wastecoat which he said he had out of a back Parlour and called this Examinant into the Entry and gave them to him and wished he had brought out a Bed that was there then, they went behind an old Dray that stood in the street near the Rubbish of the Houses that were pulled down and tied them all up in one of the Sheets except the Coat and Wastecoat which Jeffs and he put on and he carry'd the Bundle on his Head to Mrs. Claytons in Gloucester Court in White-chapel Street an old Ragg Woman where Susannah Clark lodged who came down Stairs and examined all the Things which they sold to her for five Shillings and Jeffs and this Examinant shared the Money which was two Shillings and six pence each.

Saith That he this Examinant, the said Jeffs and Lucas went towards Chelsea about six Weeks ago about nine or ten o'clock at Night and at the back of the House facing the Burying Ground belonging to Chelsea College, Lucas attempted to open the Hatch of the Raile before it but could not by Reason of the Lock being so low so he got over and opened it and let Jeffs and this Examinant into the Yard before the House where there was a small Garden railed in with another Hatch which Lucas likewise opened and got in & lifted up the Sash of the Parlour Window and pulled of his Shoes and Coat and Gave them to this Examinant and went in at the said Window where some Linnen was drying and asked Jeffs who was in the Little Garden, for a Knife to Cut the Line but Jeffs having none this Examinant gave his to Jeffs to hand to Lucas he holding the outward Door all the Time lest it shou'd make a Noise, then Lucas handed several Things out of the Window to Jeffs which he put into a Bagg they carried for the Purpose, That as Lucas was going for more Things he was prevented by the Folks of the House coming up Stairs so he made his Escape by getting out of the Window and they all run away but they met again together that Night at a Place appointed by Chelsea College burying Ground where this Examinant gave Lucas his Shoes and his Coat that he had put off to go into the Room and they all went Home together to Old Street where after they had tapped at the Window Mrs. Lucas let them in, then they emptied the Bag and Mrs. Lucas examined it and found some Sheets and several other Things therein the Particulars whereof he hath forgot all which wxcept two Shifts therein which they gave to Mrs. Lucas they sold her for six Shillings to the best of this Examinants Remembrance which they divided equally amongst them.

Saith That he this Examinant with the said Jeffs about fourteen Days ago went out in the Morning about seven o'Clock towards Islington the

back of which Town they saw a Summer House and they looked thro' the Window and this Examinant told Jeffs there was something in it and Jeffs ordered him to jump the Glaze (which is open the Window) accordingly he opened the Window and got part of his Body In and took out a blue Grey Coat and a Hanger which hung under it, he gave the Coat to Jeffs and kept the Hanger to himself and as they were going over the fields he order Jeffs to search the Pockets of the Coat in which they found a Plain Stock Buckle all Silver a Woollen apir of Gloves and a piece of Chalk which they carried to Mrs. Lucas but she not being at Home this Examinant carryed them up Stairs into the Room where he commonly lay and left it there and locked the Door after him and took the Key with him and went to Jeffs to a place he had appointed to meet him at where Martin came to them and told them that he had sold the great Coat this Examinant said Martin and Jeffs got off a Coach Box which was in a Court Yard near Saint Sopulchres Church the Sunday Night before to Mrs. Lucas for four Shillings and six pence and some Handerchiefs they had taken the same Night for seven pence and Martin and this Examinant returned to Lucas where soon after Jeffs came and this Examinant fetched down the Coat and Stock Buckle which Mrs. Lucas examined and after some Argument they sold the Coat and Stock Buckle for nine Shillings and one Shilling to be sent to her Husband Joseph Lucas who was then in Newgate and divided twenty Pence to each of them Martin having spend the odd penny and this Examinant and Jeffs divided four Shillings and sixpence back for the other Things and the Hanger they kept themselves.

Saith That he this Examinant with the said Jeffs about the fourteenth Day of April last lay at Church Lane Saint Gyles in two different Houses Jeffs called this Examinant about Six o'Clock in the Morning to go tout and they went to see what they cou'd get till they came to Southampton Row the back of the Duke of Bedfords House where they turn'd down a Court the middle of the Row and saw a Stable Door open and the Man cleaning the Horses then Jeffs entered the Coach House adjoining to the Stable and came out again and told this Examinant there was a fine new Grey Tog (which signifies a Great Coat) then they went in and Jeffs took down the Great Coat from the place where it hung and put it into this Examinants Apron who carryed it to Glocester Court in White Cross Street to Mrs. Clayton's aforesaid where Susannah Clark lodged who came down and examined and bought of them for nine Shillings which this Examinant and Jeffs divided between them and had four Shillings and six pence each.

This Examinant further Saith he likewise hath been concerned with Lucas and Jeffs in getting several Coachman and Footmen's Great Coats at different Times and Places within this two Months which he can not recollect.

This Examinant further Saith that he with the said Broom and Anderson about three Months ago went to a House the back of Saint Anns Church Soho where the People were lighting some Company into a Coach meanwhile Anderson went into the House and brought out a Tea Chest and gave it likewise to this Examinant the People of the House being busy talking at the Coach Door the Carpet they left behind them some Timber in the Street and the Tea Chest they carryed to Church Lane next Door to the black Horse to one Mrs. Robinson Lodgings who carryed it to Pawn to a Brokers in Dyot Street Saint Gyles's and brought them two Shillings for it and they shared eight pence each But the Carpet they left behind them for fear of being taken by the Watch.

Saith That he this Examinant with the said Jeffs about the middle of April Last went towards Grays Inn Lane into a Court three or four Doors of this Side the Queen Head Inn and they further most House but one in the Court Jeffs Lifted up the Latch of the Street Door and went in and opened the Parlour Door while this Examinant waited at the Street Door and Jeffs brought out a pair of Sheets to this Examinant who put them into his Apron then Jeffs went in again and soon after returned saying there was nothing but Chine but a Man coming down the Court prevented him going back again so they made off with what they had got to Mrs. Claytons in Glocester Court White Cross Street and sold the them to Susannah Clark who lodged there for fifteen pence and they shared seven Pence halfpenny each.

Saith That about six Weeks or two Months ago he this Examinant together with the said Jeffs and Lucas went to Kensington where Lucas lifted up the Sash Window of a House at the upper End of a Street near the Church and ordered this Examinant to light the dark Lanthorn which was accordingly done and Lucas half cockt it and looked into the Room where he found a pair of Sheets which he took and delivered them to this Examinant that afterwards they went to another House in the Middle of the said Street where they found the Door open and Lucas went in and opened a Parlour Door and took from thence an Arm full of Linnen which was put into a Bagg they usually carryed with them and then they went and put the Sheets into the said Bagg and carryed them all to the said Lucas's House that on Examinantion the Linnen taken in the second House was a Parcell of Towells about thirty in Number which they sold to the said Susannah Clark and the Sheets were pawned by Mrs. Lucas to Mr. Barnes a Pawnbroker in Golden Lane who brought them only five Shillings which the one Shilling before they had for the Towells was divided amongst them at two Shillings each but this Examinant hath since been informed the said Sheets were pawned by the said Mrs. Lucas for fifteen Shillings.

This Examinant further saith That he and the said Jeffs went to Islington the Back of Cranbury House at the Corner House of a Row there Jeffs went in to the Right Hand Parlour Door and brought out a Quilt and

a Pack of Cards which Quilt was sold to the said Susannah Clark for fifteen pence and the Cards they kept and divided the 15d between them.

James Bye

Sworn this twenty third Day of May
1745 before me at Guildhall London
Jo; Hankey

Witness
Wm Boomer

APPENDIX IV

THE NAMES OF THE HANGED WITH THE DATES OF THEIR
HANGING

John Ackers, 29.i.33.	Thomas Andrews, 8.iii.31.
Elizabeth Adams, 18.i.38.	Thomas Andrews, 6.iii.32.
William Adams, 18.v.57.	Humphrey Angier, 9.ix.23.
John Adamson, 14.iii.39.	Thomas Applegarth, 11.ii.51.
John Adams, 11.vii.64.	James Appleton, 14.iii.22.
Richard Adams, 13.iii.13.	William Archer, 16.v.50.
Alexander Afflack, 7.iv.42.	John Armson, 28.x.48.
Bernard Agnew, 23.iii.52	Elizabeth Armstrong, 10.xi.35.
John Albin, 21.xii.39.	John Armstrong, 26.vii.31.
George Aldridge, 18.x.49.	Richard Arnold, 22.xi.42.
James Aldridge, 7.ii.50.	Thomas, Arnold, 18.x.49.
John Alford, 18.x.49.	Aqutha Ashbrook, 27.x.08.
Joseph Allen, 13.i.42.	Richard Ashcroft, 29.vii.47.
Mary Allen, 17.vi.47.	Isaac Ashley, 20.v.28.
Sarah Allen, 18.i.38.	Solomon, Athorn, 17.ii.44.
William.Allison, 12.ix.26.	John Atkins, 25.iii.51.
George Anderson, 22.xi.42.	Thomas Atkins, 28.x.48.
George Anderson, 7.xi.50.	James Attaway, 4.vi.70.
George Anderson, 23.xi.63.	John Austin, 22.xii.25.
James Anderson, 15.ii.64.	Jonathan, Austin, 19.vii.38.
John Anderson, 19.xii.33.	Samuel Austin, 21 & 23.xii.47.
William Anderson, 4.i.25.	Jacob Avery, 31.i.13.
Francis Anderson, 28.x.48.	John Ayliff, 6.viii.53.
John Andrews, 23.iii.52.	Thomas Bacchus, 27.v.72.

Samuel Badham, 6.viii.40.

Francis Bailey, 14.iii.26.

Richard Bailey, 4.vi.70.

David Baily, 28.iv.08.

Anne Baker, 28.iii.64.

Edward Baker, 3.iii.37.

James Baker, 19.xii.33.

William Baker, 31.xii.50.

Elizabeth Banks, 6.vii.50.

Thomas Banks, 29.i.33.

Edward Barcock, 8.xi.38.

William Barkwith, 21.xii.39.

Elizabeth Barnes, 21.ii.56.

John Barnes, 27.x.08.

John Barnet, 23.xii.30.

Henry Barns, 5.vi.32.

Joseph Barret, 12.ii.28.

Robert Barrow, 5.x.37.

William Barrow, 22.iii.04.

John Barston, 14.iii.26.

George Basset, 29.iv.52.

John Barstow, 26.iii.50.

Henry Baxter, 19.xii.33.

John Becher, 19.xii.33.

Rachael Beacham, 13.i.52.

Thomas Beane, 21.ix.16.

Thomas Beck, 22.v.32.

Benjamin Beckenfield, 31.xii.50.

James Bedford, 11.ii.34.

William Blecher, 13.vii.52.

Martin Bellamy, 27.iii.28.

Peter Bennet, 25.x.04.

Edward Benson, 20.v.28.

John Benson, 12.xi.55.

Anne Berry, 23.x.51.

James Berry, 14.v.31.

Thomas Betts, 15.v.06.

Michael Bewley, 13.iv.43.

William Biddle, 10.xi.62.

William Billingsley, 24.xii.44.

James Bird, 22.xii.25.

Thomas Bird, 1.viii.46.

John Bist, 18.iii.38.

Thomas Birch, 18.iii.41.

William Blackwell, 10.xi.35.

Edward Bland, 23.x.57.

Edward Blastock, 26.v.38.

Joseph Blunt, 6.x.33..

William Bolingbroke, 22.xii.38.

Edward Bonner, 27.ix.36.	William Brister, 24.xii.44.
Thomas Bonney, 5.x.44.	Thomas Broadhorst, 21.ii.56.
William Booth, 29.i.33.	George Broderick, 3.viii.39.
Peter Boother, 18.ix.27.	Sussannah Broom, 21.xii.39.
Joseph Boroughs, 25.iii.51.	John Broughton, 23.xi.63.
Catherine Bosle, 2.x.34.	Richard Broughton, 23.iii.52.
John Boswell, 21.ii.56.	David Brown, 23.x.51.
Henry Bosworway, 29.vi.37.	Charles Brown, 23.xi.63.
Patrick Bovrk, 24.xii.44.	Edward Brown, 11.viii.27.
William Bourn, 27.vi.26.	George Brown, 6.iii.32.
Roger Bow, 9.vii.34.	James Brown, 1.vi.52.
Thomas Bowers, 16.v.70.	James Brown, 12.x.63.
June Bowman, 21.vii.03.	John Brown, 19.xii.33.
David Boyd, 18.x.49.	Patrick Brown, 16.ix.41.
Richard Arabent, 18.iii.41.	William Brown, 19.xii.33.
William Brabent, 23.xii.30.	William Brown, 18.i.38.
Burton Brace, 4.ii.36.	William Brown, 29.vii.51.
William Bradford, 5.vi.54.	Robert Brownjohn 18.iii.38.
Thomas Bradley, 1.ii.25.	William Bruce, 1.viii.46.
Benjamin Branch, 27.iii.28.	Dean Bryant, 8.xi.38.
Randolph Branch, 22.ix.52.	James Buchanan, 22.xii.38.
John Brannan, 28.xii.63.	Dennis Buckley, 12.x.63.
Dennis Brenan, 7.ii.50.	Thomas Buckmore, 6.viii.53.
Thomas Bridge, 3.viii.39.	Leonard Budley, 5.iii.33.

- Thomas Bulker, 4.ii.36.
 John Bumpers, 9.x.32.
 Stephen Bunce, 17.xii.07.
 James Buquois, 13.i.42.
 Thomas Burden, 29.iv.24.
 Jonathan Burgen, 13.vii.52.
 Abijah Burk, 4.iv.46.
 John Burk, 17.iii.49.
 William Burk, 8.iv.23.
 William Burk, 17.iii.55.
 William Burlow, 12.x.63.
 William Burnet, 13.iv.43.
 John Burnhan, 12.vii.42.
 William Burrridge, 14.iii.22.
 William. Burroughs, 16.vi.31.
 Henry Burrows, 17.ii.44.
 John Burton, 17.ii.44.
 John Burton, 17.iii.55.
 Edward Busby, 26.iii.50.
 James Butler, 5.viii.23.
 Richard Butler, 25.iii.51.
 Thomas Butler, 11.x.52.
 Thomas Butloxk, 18.vii.22.
 Alexander Byrne, 11.xi.51.
 Anthony Byrne, 31.xii.50.
 James Caldcough, 2.vii.39.
 James Campbell, 30.iv.25.
 Robert Campbel, 3.iii.37.
 Charles Cane, 28.vi.56.
 John Cane, 23.vii.16.
 Roger Cane, 29.i.20.
 William Cannicott, 20.ix.56.
 Elizabeth Cannon, 18.v.43.
 John Cannon, 6.x.33.
 John Car, 4.v.41.
 Thomas Car, 18.i.38.
 John Carbold, 23.x.51.
 John Carbold, 31.xii.50.
 John Carbold, 26.iii.50.
 Andrew Carey, 16.v.50.
 William Carey, 2.xii.39.
 John Carpenter, 12.vii.42.
 John Carr, 25.iii.51.
 James Carrick, 18.vii.22.
 Alexander Carroll, 28.i.08.
 James Carter, 3.xi.25.
 John Cartwright, 12.ix.26.
 John Casey, 24.ix.22.

William Casey, 11.ix.21.	John Clark, 6.viii.40.
John Cassady, 18.iii.41.	William Clark, 17.ii.44.
Thomas Catchpole, 29.vii.51.	Samuel, Clark, 16.v.70.
John Catt, 18.iii.41.	Matthew Clark, 28.vii.21.
Garnet Cavenagh, 13.iv.43.	Isaac Clarke, 29.x.53.
Lot Cavenagh, 13.iv.43.	John Clarke, 16.v.50.
William Cavenagh, 18.x.49.	Thomas Clarkson, 26.vii.31.
Richard Cecil, 26.x.20.	John Claxton, 3.viii.26.
Benjamin Chamberlain, 8.viii.50.	Richard Clay, 21.vi.47.
William Chamberlain, 5.iii.33.	Thomas Clements, 11.ii.51.
Henry Chaplin, 18.ix.27.	Thomas Clements, 7.v.40.
Samuel Chapman, 28.x.48.	Sarah Clifford, 25.ix.13.
James Chapman, 15.vi.63.	Thomas Coates, 18.iii.41.
John Chapman, 14.ii.70.	John Cobbs, 20.v.28.
John Chappel, 8.iii.31.	John Cobige, 3.iv.21.
Caleb Charlesworth, 8.iii.34.	George Cock, 22.vi.48.
Thomas Charnock, 29.i.20.	Henry Cole, 8.vi.44.
Edward Cheeseborough, 5.vi.32.	Joseph Cole, 4.ii.36.
Samuel Chilvers, 18.iii.48.	Samuel Cole, 20.xii.31.
Elizabeth Chivers, 1.viii.12.	Robert Coleblack, 19.ix.12.
Deborah Churchill, 17.xii.08.	John Collington, 19.xii.33.
Richard, Cinderbury, 22.x.63.	James Collins, 13.x.62.
Thomas Clack, 24.xi.40.	Thomas Collins, 21.xi.43.
Ann Clark, 18.i.38.	John Collison, 18.x.49.

- Robert Colson, 2.x.34.
- Charles Connor, 22.ix.35.
- Catherine Connor, 31.xii.50.
- Terence Connor, 20.ii.49.
- Catherine Conway, 6.vii.50.
- John Cook, 29.vii.47.
- John Cook, 17.iv.65.
- Samuel Cook, 8.viii.50.
- Bryan Cooley, 13.iv.43.
- Jane Cooper, 3.iii.37.
- John Cooper, 22.xi.42.
- Richard Cooper, 14.v.31.
- Robert Cooper, 16.vi.31.
- William Corbee, 6.viii.53.
- Jacob Cordosa, 17.ii.44.
- Joshua Cornwall, 23.xii.30.
- John Cotton, 5.x.37.
- Sarah Cox, 5.x.44.
- William Cox, 5.x.44.
- John Crabb, 23.xii.12.
- John Crafts, 24.ix.08.
- Henry Crane, 8.iii.34.
- Thomas Crawford, 8.vii.50.
- Uriah Creed, 4.viii.49.
- John Crips, 1.viii.46.
- Thomas Crookhall, 16.v.70.
- James Cropp, 18.v.43.
- John Cross, 18.x.49.
- Peter Cross, 3.iii.36.
- Robert Crouch, 20.v.28.
- Thomas Crowder, 20.v.28.
- William Cudmore, 18.i.38.
- Thomas Cullingham, 6.viii.53.
- Robert Cunningham, 38.x.48.
- Edward Curd, 5.iii.33.
- Samuel Curlis, 16.vi.31.
- Peter Curtis, 15.vi.24.
- Hannah Dagoe, 4.v.63.
- Edward Dalton, 9.x.32.
- Robert Damsel, 17.vi.51.
- Daniel Davis, 11.ii.51.
- David Davis, 26.iv.49.
- James Davis, 23.iii.52.
- John Davis, 26.vii.31.
- John Davis, 18.iii.41.
- John Davis, 28.v.33.
- Richard Davis, 24.ix.31.
- Vincent Davis, 30.iv.25.

William Davis, 23.vii.16.	John Doe, 26.iii.50.
Will Davis, 17.xii.07.	Alexander Dolzell, 5.xii.15.
William Dawson, 31.xii.50.	Cornelius Donnolly, 12.x.63.
James Day, 21.xi.43.	James Dortman, 20.xii.31.
Mary Day, 16.ix.09.	Richard Dove, 18.v.09.
John Dean, 13.i.42.	Joseph Dowdell, 17.vi.51.
Peter de Brec, 13.vii.52.	John Peter Dramatti, 21.vii.03.
Stephen Delaforce, 26.x.20.	John Drinkwater, 26.vii.31.
David Delly, 5.iii.33.	Anthoney Drury, 3.xi.26.
Edward Dempsey, 7.ii.50.	William Duce, 5.viii.23.
Patrick Dempsey, 7.ii.50.	Ann Duck, 7.xi.44.
Elizabeth Dennis, 31.vii.47.	Sulspice, Du Clot, 24.xii.44.
Thomas Dennis, 13.iv.43.	William Duell, 24.xi.40.
Johnathan Dennison, 15.vi.63.	Ebenezer Dun, 29.i.33.
Thomas Dent, 21.xii.39.	Thomas Dunk, 14.ii.70.
Authony deRosa, 23.iii.52.	Timothy Dunn, 23.vii.16.
William Desent, 22.ix.52.	John Dunstan, 5.vi.32.
John Dewick, 3.x.50.	Mary Dutton, 13.i.42.
William Dickenson, 13.i.52.	Thomas Dwyer, 27.ix.36.
Richard Dickman, 10.v.04.	Jane Dyer, 4.v.05.
Thomas Dickson, 2.v.07.	Mary Dymar, 18.x.49.
Samuel Dipple, 12.xi.55.	John Dyson, 17.iii.55.
Edward Dixon, 29.vii.51.	Joseph Eades, 21.xii.39.
John Dixon, 6.vi.64.	Richard Eades, 31.vii.41.

Thomas Easter, 14.iii.39.	James Farrel, 22.ix.35.
William Eaton, 30.iv.25.	Thomas Faxton, 6.iii.32.
Eleanor Eddowes, 5.x.57.	John Fellows, 19.vii.38.
David Edom, 5.vi.54.	James Field, 11.ii.51.
John Edwards, 7.ii.50.	Joseph Field, 24.xii.44.
John Edwards, 18.v.57.	John Filewood, 3.iv.21.
Thomas Edwards, 6.iii.32.	Bernard Fink, 26.vii.31.
Thomas Edwards, 15.viii.64.	John Fish, 6.viii.53.
William Elby, 13.ix.07.	Dominick Fitzgerald, 13.i.42.
Robert Element, 26.vii.32.	Robert Fitzgerald, 21.i.47.
Ann Ellard, 18.v.43.	Katherine Fitzpatrick, 12.ix.26.
Samuel Ellard, 7.xi.44.	William Fleeming, 9.x.32.
Mary Ellenor, 27.x.08.	William Fletcher, 26.x.20.
George Ellis, 24.xii.44.	Henry Fluellin, 8.xi.38.
Thomas Ellis, 3.iii.08.	James Ford, 16.v.70.
John Elwar, 18.iii.41.	Richard Forsit, 15.vi.63.
Thomas Evans, 9.vii.34.	John Fosset, 8.xi.38.
John Exelby, 17.vi.47.	John Foster, 22.xii.25.
William Fairall, 26.iv.49.	John Foster, 6.viii.40.
James Fairbrother, 29.x.53.	John Foster, 31.xii.50.
John Fairbrother, 6.vi.64.	Elizabeth Fox, 18.iii.40.
James Falconer, 3.iii.36.	John Fox, 22.iii.27.
James Farr, 10.xi.62.	Thomas Fox, 23.iii.52.
Gerald Farrel, 3.iii.37.	Will Fox, 10.v.04.

- Mary Frances, 12.ix.26.
 Christopher, Freeman, 24.v.36.
 George French, 29.x.53.
 Joseph Fretwall, 5.iii.33.
 John Frimley, 20.ii.49.
 Filbert Fruer, 3.iii.37.
 Thomas Fuller, 16.xi.47.
 Henry Gadd, 24.xii.44.
 Thomas Gahagan, 16.v.70.
 U'sher Gahagan, 20.ii.49.
 George Gale, 20.v.28.
 Thomas Gale, 23.iii.52.
 James Gallaker, 29.x.53.
 James Gardiner, 22.xii.38.
 John Gardiner, 18.iii.38.
 William Garner, 28.x.48.
 William Gates, 14.iii.26.
 Charles, Gawen, 26.iii.50.
 Thomas Geary, 24.viii.63.
 Isaac George, 19.vii.38.
 Joseph Geraldine, 23.iii.52.
 Terry Gerrard, 18.i.38.
 William Gettings, 25.ix.13.
 George Gibbons, 13.vii.52.
 William Gibbs, 17.vi.51.
 William Giddis, 16.v.50.
 Edmund Gilbert, 7.vi.54.
 Joseph Gill, 17.iii.55.
 Mary Gillfoy, 23.iii.52.
 William Girduer, 23.iii.52.
 John Girle, 20.ix.56.
 Thomas Gittings, 18.iii.38.
 Robert Glasgow, 29.vii.51.
 Mary Goddard, 3.iii.08.
 Valentine Godwin, 4.viii.49.
 Thomas Good, 7.ii.50.
 John Gooding, 2.v.07.
 Samuel Goodman, 24.xii.44.
 Joseph Golding, 26.v.38.
 William Gordon, 25.iv.33.
 William Gosling, 28.vii.21.
 John Goswell, 5.x.37.
 Charles Goulding, 8.xi.38.
 Edward Goynes, 21.xii.39.
 Eleanor Grabenor, 31.x.12.
 Laurence Grace, 6.x.33.
 John Graham, 18.x.49.
 Thomas Grainger, 26.vii.31.

Mary Granger, 26.x.20.	William Hadley, 5.x.57.
Michael Grant, 12.vii.42.	George Hailey, 29.x.53.
Alice Gray, 2.v.07.	George Hall, 29.iv.52.
Arthur Gray, 11.v.48.	James Hall, 23.xii.30.
John Gray, 4.viii.49.	James Hall, 14.ix.41.
Martin Gray, 3.iv.21.	John Hall, 17.xii.07.
John Green, 16.v.70.	Robert Hallam, 14.ii.32.
Margaret Green, 4.v.05.	Benjamin Hamilton, 16.v.50.
Mary Green, 4.iv.46.	John Hamp, 22.xii.25.
Mary Green, 19.ix.12.	Mary Hanson, 30.iv.25.
Margaret Greenaway, 9.vii.45.	Rowley Hanson, 12.xi.55.
William Greg, 28.iv.08.	James Hanns, 21.x.43.
Jane Griffin, 29.i.20.	Deborah Hardcastle, 31.i.13.
John Griffith, 3.x.50.	Stephen Harding, 5.x.57.
Serjeant Griffith, 9.x.32.	William Hardisty, 18.i.38.
Sarah Griffiths, 20.xi.27.	Henry Haretman, 11.vii.64.
George Grinway, 19.vii.38.	Silvester Harlackenden, 10.v.04.
Henry Grover, 25.iii.51.	James Harman, 28.viii.24.
John Groves, 16v.50.	Richard Harper, 29.vi.37.
John Glew Gulliford, 13.i.42.	Ann Harris, 16.ix.09.
John Guy, 30.iv.25.	John Harris, 26.x.20.
Ann, Gwyn, 7.xi.44.	John Harris, 21.xi.43.
James Hacket, 6.vi.07.	John Harris, 1.x.53.
William Hadden, 24.ix.22.	Mark Harris, 18.v.09.

- Mary Harris, 16.ix.41.
 William Harrison, 5.iii.33.
 William Harris, 18.v.57.
 John Hart, 31.i.13.
 John Hartly, 4.v.22.
 Margaret Harvey, 6.vii.50.
 Elizabeth Harwood, 21.xii.39.
 William Hatton, 17.vi.51.
 William Hawksworth, 17.vi.23.
 Mary Haycock, 2.x.34.
 Patrick Hayes, 3.vii.49.
 James Hayler, 29.x.53.
 Edward Haynes, 17.iii.55.
 Robert Haynes, 13.ii.27.
 Anne Hazard, 21.xi.43.
 Thomas Hazard, 18.x.49.
 John Head, 21.x.43.
 John Heath, 25.ix.13.
 William Heath, 29.i.33.
 Mathew Henderson, 25.ii.46.
 Mary Hendron, 20.v.28.
 John Hewlet, 1.ii.25.
 Robert Hickson, 7.ii.50.
 William Higgins, 12.x.63.
 Francis Hill, 18.iii.48.
 John Hill, 24.xii.44.
 Samuel Hill, 23.iii.52.
 Thomas Hill, 17.ii.44.
 Charles Hinchman, 3.iv.21.
 Henry Hinton, 22.xi.42.
 Ralph Holbrook, 8.iii.34.
 William Holden, 20.v.28.
 Richard Holland, 29.vii.51.
 William Holland, 23.xii.30.
 George Hollingshy, 25.ix.13.
 William Hollis, 14.iii.26.
 William Holloway, 24.viii.63.
 Thomas Holly, 17.iii.49.
 William Holmes, 11.xi.51.
 Jane Holms, 12.ix.26.
 Henry Holyoak, 4.vi.70.
 James Holt, 13.vii.52.
 Thomas Homan, 21.xi.43.
 Charles Hooper, 22.ix.35.
 John Horn, 28.viii.24.
 John Hornby, 20.v.28.
 William Horner, 26.iv.49.
 Joseph Horniblow, 29.x.53.

- Francis Horton, 12.vi.41.
Jane Houseden, 19.ix.12.
Lori Houssart, 7.xii.24.
William Howard, 2.x.34.
Catharine Howel, 4.iv.46.
Joseph Huddle, 18.iii.41.
Thomas Huddle, 23.iii.52.
Peregrine Hudley, 14.iii.39.
John Hudson, 17.vi.47.
Joseph Hudson, 16.ix.41.
Arthur Hughs, 24.ix.22.
John Hughs, 12.ii.28.
Henry Hughes, 4.vi.70.
Mabel Hughes, 12.xi.55.
Richard Hughes, 24.vi.09.
Richard Hughes, 18.v.57.
Samuel Hullock, 31.vii.47.
John Humphrys, 1.viii.46.
James Hunt, 21.xi.43.
Robert Hunt, 18.iii.41.
Robert Hunter, 28.vii.21.
Thomas Hunter, 21.vi.04.
John Hyde, 7.v.40.
William Ifield, 26.v.38.
John Ingram, 29.i.33.
Mary Inman, 28.vii.21.
John Ireland, 23.x.51.
Robert Irwin, 24.ix.31.
Joseph Isaacs, 17.ii.44.
John Ives, 6.vi.64.
Nathaniel Jackson, 18.vii.22.
Constantia James, 22.xii.38.
James James, 14.iii.39.
John James, 14.iii.22.
Mathew James, 13.ii.65.
John Jarmey, 23.x.51.
Richard Jefferies, 21.ii.56.
William Jefferys, 20.ii.49.
John Jeffs, 9.vii.45.
David Jenkins, 3.iii.37.
Stephen Jenkins, 7.iv.42.
John Jennings, 22.xi.42.
John Jervis, 28.xii.63.
Joseph Jervis, 19.iv.70.
John Jetter, 16.iv.53.
Philip Jewel, 21.i.47.
Joseph Johnsen, 7.ii.05.
Ashbry Johnson, 14.iii.39.

Benjamin Johnson, 19.iv.70.	Richard Keeble, 21.xi.43.
Christopher Johnson, 23.vi.53.	Samuel Keep, 7.vi.45.
Edward Johnson, 1.x.53.	Patrick Kelley, 13.iv.43.
James Johnson, 9.x.32.	James Kelly, 29.vi.37.
James Johnson, 4.viii.49.	William Kelly, 26.vii.45.
John Johnson, 20.xi.27.	John Kello, 13.x.62.
John Johnson, 12.vi.41.	John Kelsey, 11.viii.36.
Joseph Johnson, 19.vii.38.	Sarah Kenigem, 28.x.48.
Henry Johnson, 14.iii.39.	William Keys, 25.iv.33.
Samuel Johnson, 20.xi.27.	Thomas Kingsmill, 26.iv.49.
Thomas Johnson, 18.ix.27.	William Kite, 17.xii.07.
William Johnson, 19.ix.12.	George Knight, 6.vi.64.
William Johnston, 19.xii.33.	William Knight, 31.xii.50.
Aaron Jones, 16.xii.09.	Patrick Knowland, 20.xii.31.
Benjamin Jones, 14.iii.26.	Robert Knowland, 20.xii.31.
John Jones, 28.v.33.	James Lacey, 15.viii.64.
John Jones, 14.ii.70.	Joseph Lacock, 13.i.42.
Richard Jones, 12.ii.28.	Philip Lacy, 18.x.49.
Thomas Jones, 22.iii.04.	Robert Lake, 29.iv.52.
Thomas Jones, 20.ii.49.	Richard Lamb, 6.x.33.
Thomas Jones, 26.iii.50.	Nathaniel Lamprey, 26.vii.31.
Christopher Jordan, 7.iv.42.	George Lancaster, 16.xi.47.
Edward Joyce, 29.iv.24.	John Lancaster, 28.x.48.
Joesph Joyce, 13.vii.52.	Hether Landell, 20.v.28.

John Lane, 18.i.38.	John Linvill, 10.v.04.
Richard Lane, 13.vii.52.	William Lipsat, 1.ii.25.
John Larey, 6.vi.64.	Philip Lipscomb, 18.iii.41.
Garret Lawler, 29.vii.51.	James Little, 3.xi.25.
James Lawler, 14.iii.39.	Edward Lloyd, 4.iv.46.
William Lawrence, 26.v.38.	George Lloyd, 3.x.50.
Joesph Leath, 17.ii.44.	Robert Lloyd, 7.iv.42.
Laurence Lee, 3.vii.49.	Thomas Lloyd, 30.iv.25.
Mathew Lee, 11.x.52.	Darby Long, 31.xii.50.
Richard Lee, 7.xi.44.	John Long, 16.xii.09.
James Leeskey, 24.xii.44.	John Longmore, 5.vi.32.
Judith Leford, 8.iii.34.	John Love, 21.ix.16.
Robert Legrosse, 18.iii.41.	Benjamin Loveday, 9.x.32.
James Leonard, 14.iii.39.	Richard Low, 17.xii.07.
Esther Levingstone, 12.x.63.	John Lowden, 7.iv.42.
Joseph Lewin, 21.x.43.	Joseph Lucas, 9.vii.45.
Paul Lewis, 4.v.63.	Davis Lumley, 28.vii.24.
Thomas Lewis, 16.v.50.	John Lupton, 12.vi.41.
William Lewis, 16.v.70.	Francis Lutterell, 4.vi.70.
Barnaby Lince, 21.i.47.	LeHice Lynn, 7.vi.45.
James Lincoln, 24.ix.22.	Richard Lynn, 20.xi.27.
David Lindsex, 10.v.04.	Terence McCane, 11.xi.51.
John Lineham, 13.ii.40.	James MacDowal, 11.ii.34.
Katherine Lineham, 31.vii.41.	James McGennis, 18.x.49.

- Michael MacGennis, 23.iii.52.
- John MacHell, 8.xi.38.
- James MacKey, 6.xi.23.
- John MacKgrady, 9.x.32.
- William MacKlaughlane, 29.i.33.
- William McLaughlin, 26.iv.49.
- James MacLean, 3.x.50.
- John MacLeary, 18.v.57.
- Peter M'Cloud, 27.v.72.
- Hugh MacMatton, 3.iii.37.
- Edward McManning, 16.iv.53.
- Andrew MacManus, 4.v.41.
- John MacNamar, 13.i.52.
- David MacQuin, 13.vii.52.
- Thomas MacQuire, 2.x.34.
- Thomas Madge, 12.x.63.
- Prscilla Mahon, 18.iii.41.
- John Makavoy, 5.x.44.
- Lewis Makely, 24.viii.63.
- Sarah Malcolm, 5.iii.33.
- Daniel Malden, 2.xi.36.
- James Mallone, 11.xi.51.
- Hugh Maloney, 23.xi.63.
- Francis Mandeville, 11.xi.51.
- Richard Marpesden, 4.viii.49.
- Joseph Mapham, 20.ii.49.
- James March, 23.x.51.
- John Margetts, 26.v.38.
- William Marr, 9.xi.22.
- Thomas Marsh, 18.v.57.
- Richard Marshal, 29.i.33.
- William Marshall, 30.iv.25.
- Jane Martin, 12.ix.26.
- John Masland, 14.iii.39.
- George Mason, 20.xii.31.
- Thomas Masterson, 29.vii.51.
- Anthony Mathews, 21.vi.47.
- Felix Mathews, 21.vi.47.
- John Mathews, 21.vi.47.
- John Matthews, 22.xii.11.
- Peter Matthews, 22.ix.35.
- John Maw, 21.xii.39.
- William Maw, 3.iii.37.
- William Maxwell, 18.v.57.
- John Maxworth, 11.viii.36.
- Thomas May, 16.v.50.
- William Maynee, 8.iii.31.
- William Mead, 9.x.32.

- John Alexander Mears, 29.i.33.
 William Meers, 24.xi.40.
 John Meff, 11.ix.21.
 Peter Merchie, 9.vii.34.
 Edward Merril, 17.iii.55.
 John Merry, 28.viii.24.
 Dorothy Middleton, 18.iii.41.
 Joseph Middleton, 9.ix.23.
 Thomas Milksop, 24.ix.22.
 Thomas Miller, 12.vii.42.
 William Miller, 13.ii.27.
 William Miller, 16.v.70.
 John Mines, 23.xii.30.
 Edward Mires, 24.ix.22.
 George Mitchell, 17.xii.64.
 John Molony, 18.vii.22.
 William Montgomery, 13.xi.52.
 Joseph Montisano, 17.xii.07.
 William Moody, 14.ii.70.
 Matthew Mooney, 22.xi.42.
 Charles Moor, 12.ix.07.
 John Moore, 7.v.40.
 John Moore, 4.iv.46.
 Jeffery Morat, 3.iii.37.
 William Moreland, 19.vii.38.
 John Moreton, 17.xii.64.
 George Morgan, 23.vii.16.
 Richard Morgan, 27.v.72.
 Samuel Morgan, 2.xi.36.
 Thomas Morgan, 4.iv.46.
 John Morgridge, 28.iv.08.
 Joseph Morris, 2.vii.39.
 Isaac Mortished, 18.iii.38.
 Hannah Moses, 24.xii.44.
 Samuel Moses, 17.ii.44.
 Thomas Motte, 13.ii.40.
 Francis Moulcer, 7.xi.44.
 Ann Mudd, 29.vi.37.
 Eleanor Mumpman, 24.xi.40.
 Margaret Murphey, 27.ii.28.
 Peter Murphy, 3.vii.49.
 Thomas Murphy, 24.viii.63.
 John Murrell, 14.iii.26.
 Philip Murray, 26.v.38.
 Thomas Mynott, 18.x.49.
 Thomas Nash, 18.iii.41.
 Edmund Neal, 31.xii.22.
 Henry Neal, 29.i.33.

- Archibald Nelson, 15.viii.64.
George Nevil, 18.iii.38.
John Newcome, 31.xii.50.
William Newington, 19.vii.38.
Martin Newland, 7.iv.42.
James Newman, 16.v.70.
John Newman, 13.i.42.
William Newman, 23.x.51.
Ambrose Newport, 14.v.31.
James Newton, 11.xi.51.
Richard Nichols, 20.v.28.
James Nicholson, 16.v.50.
John Norman, 20.xii.31.
Peter Norman, 23.xii.30.
William Norman, 25.iv.33.
Richard Northcoat, 16.ix.09.
George Norton, 7.vi.45.
John Norton, 7.ii.05.
William Norwell, 24.xii.44.
Michael Nunnan, 16.v.50.
Luke Nunny, 25.v.23.
Francis Ogalby, 19.xii.33.
William Ogilive, 16.v.70.
Charles Oglesbay, 16.vi.31.
Patrick O'Hara, 23.xi.63.
Peter Oldfield, 26.iii.50.
Thomas Oliver, 18.iii.38.
James O'Neal, 27.ix.36.
Robert Onion, 13.ii.1740.
Charles Orchard, 3.iii.37.
Elizabeth Osborn, 18.i.38.
John Osborn, 5.vi.32.
David Overton, 6.vi.64.
Francis Owen, 24.v.36.
Richard Oxe, 24.ix.22.
John Pagon, 17.vi.47.
Charles Palmer, 24.ix.22.
John Palmer, 4.viii.49.
Job Parker, 16.v.70. .
Joseph Parker, 7.v.40. .
Thomas Parker, 1.ii.25.
John Parkes, 18.iii.48.
John Parkin, 28.vi.56.
Robert Parkinson, 18.iii.41.
William Parkinson, 15.vi.24.
Russel Parnel, 13.i.52.
John Parrot, 18.iii.38.
John Parry, 5.vi.54.

Stephen Parsons, 7.vi.45.	William Phillips, 22.ix.35.
William Parsons, 11.ii.51.	James Phips, 31.i.13.
Abraham Pass, 21.xi.43.	Joseph Picken, 1.ii.25.
Thomas Past, 6.iii.32.	Thomas Picket, 14.iii.22.
Charles Patrick, 9.x.32.	John Pickett, 15.v.65.
William Patterson, 14.ii.70.	William Pincher, 31.xii.22.
Edward Pawlitt, 1.ii.25.	Thomas Pinks, 7.v.42.
Edward Payn, 20.xii.31.	Samuel Piper, 14.iii.39.
Joseph Peacock, 17.vi.51.	William Plummer, 7.iv.42.
Samuel Pealfe, 31.i.13.	John Poney, 23.iii.52.
Jonas Pearson, 6.x.33.	George Post, 28.vii.21.
William Peers, 23.vi.53.	John Potbury, 24.xii.44.
Mary Pendergrass, 20.v.28.	James Powis, 16.x.32.
Bosaverm Penlez, 18.x.49.	Richard Preston, 17.iii.55.
Edward Perkins, 9.x.32.	Elizabeth Price, 31.x.12.
Richard Perrin, 26.iv.49.	George Price, 8.iii.38.
Richard Perry, 17.iv.65.	Richard Price, 21.ix.16.
Susan Perry, 13.iii.13.	William Price, 21.ix.16.
Thomas Perry, 11.viii.27.	John Prince, 7.iii.64.
Thomas Perry, 16.v.50.	John Prior, 7.xi.50.
George Peters, 11.ii.34.	John Pritchard, 5.x.57.
Daniel Pfluyder, 4.vi.70.	Luke Pritchard, 23.vii.16.
Stephen Philips, 11.viii.36.	Thomas Pritchett, 22.xii.11.
Joseph Phillips, 1.viii.12.	Thomas Proctor, 31.xii.50.

- William Purcel, 7.ii.50.
- George Purchase, 21.ix.16.
- John Purdey, 5.x.37.
- Martha Purdue, 26.x.20.
- Thomas Puryour, 16.xi.47.
- Richard Quail, 18.iii.41.
- John Quin, 9.xi.22.
- Thomas Quinn, 17.vi.51.
- Robert Radwell, 21.vi.47.
- Thomas Raby, 8.xi.38.
- Robert Ramsey, 13.i.42.
- Alexander Ratcliffe, 18.i.38.
- Christopher Rawlins, 20.v.28.
- William Ray, 9.vii.34.
- Benjamin Read, 19.vii.38.
- John Read, 28.i.08.
- John Read, 4.vi.70.
- James Reading, 11.ix.21.
- John Redmond, 6.vi.64.
- Thomas Reeves, 4.v.22.
- Charles Reiley, 28.xii.63.
- Michael Reily, 15.vi.63.
- Sabastian Reis, 21.vi.04.
- Edward Reynolds, 3.viii.26.
- Thomas Reynolds, 11.viii.36.
- Thomas Reynolds, 7.xi.50.
- Robert Rhodes, 12.vii.42.
- John Rice, 4.v.63.
- Thomas Rice, 18.vii.22.
- George Richardson, 6.x.33.
- John Richardson, 5.x.37.
- John Richardson, 31.xii.50.
- John Riggleton, 26.vii.45.
- William Rine, 2.xi.36.
- George Robins, 7.xi.50.
- Peter Robins, 28.iii.64.
- George Robinson, 16.iv.53.
- Mary Robinson, 12.ix.26.
- Mary Robinson, 28.xii.63.
- Thomas Robinson, 18.x.49.
- William Robinson, 4.v.41.
- William Robinson, 24.xii.44.
- David Roberts, 3.viii.39.
- James Roberts, 13.iv.43.
- James Roberts, 24.xii.44.
- John Roberts, 14.iii.22.
- John Roberts, 28.x.48.
- Robert Roberts, 5.vi.32.

- Samuel Roberts, 27.v.72.
 John Robertson, 23.x.51.
 James Rockett, 28.iii.64.
 Isabella Roe, 16.iv.53.
 Charles Rogers, 29.vi.37.
 John Rogers, 20.xii.31.
 John Rogers, 3.vii.49.
 Peter Rogers, 17.ii.44.
 Patrick Roney, 26.iii.50.
 John Rook, 19.xii.33.
 John Ross, 31.xii.50.
 John Rouson, 13.ii.65.
 Edward Row, 27.ix.36.
 John Rowden, 20.v.28.
 William Rowland, 11.v.48.
 Ann Rush, 9.vii.45.
 William Russell, 20.v.28.
 William Russell, 26.iii.50.
 Edward Ryan, 7.vi.45.
 James Ryan, 3.iii.37.
 John Ryley, 31.vii.47.
 Luke Ryley, 5.x.44.
 William Ryley, 7.xi.50.
 Thomas St. Legar, 26.vii.45.
 John Sausbury, 29.iv.52.
 Maurice Sausbury, 1.vi.52.
 Richard Sampson, 29.vi.37.
 Cornelius Saunders, 24.viii.63.
 Francis Saunders, 23.xii.30.
 Henry James Saunders, 3.x.50.
 Job Savage, 16.v.50.
 Laurence Savage, 7.ii.50.
 John Sawney, 7.v.40.
 Frederick Schmidt, 29.iv.24.
 Robert Scott, 18.iii.48.
 George Scroggs, 14.ii.32.
 Richard Scurrier, 22.xii.25.
 Benjamin Search 18.v.57.
 Charles Sebrey 17.iv.65.
 William Seston, 20.v.28.
 Benjamin Shambler, 24.ix.22.
 Thomas Sharp, 22.ix.04.
 Joseph Shaw, 18.i.38.
 Michael Shaw, 5.vi.32.
 Mark Sheilds, 29.x.53.
 William Shelton, 9.x.32.
 Richard Shepherd, 29.i.20.
 Bridget Sheppard, 23.x.51.

John Sheriff, 18.iii.41.	John Smith, 23.xii.30.
James Sherwood, 12.ii.28.	Joseph Smith, 3.xi.26.
Thomas Shehan, 3.x.50.	Richard Smith, 23.xii.30.
James Shields, 21.xii.39.	Thomas Smith, 16.xii.09.
John Short, 1.viii.46.	Thomas Smith, 3.viii.26.
Mary Shrewsbury, 3.iii.37.	Thomas Smith, 6.iii.32.
Samuel Shopple, 13.i.42.	William Smith, 3.x.50.
Charles Sickamore, 16.iv.53.	John Smithson, 6.x.33.
William Sidwell, 6.x.33.	Foster Snow, 3.xi.25.
William Signal, 13.vii.52.	Michael Soss, 11.ii.51.
John Simmonds, 29.vi.37.	William Sparry, 10.xi.62.
William Simmonds, 11.ii.34.	Edward Spawl, 5.vi.32.
John Simmons, 9.vii.45.	Charles Spinnell, 21.xii.39.
Henry Simms, 17.vi.47.	John Squire, 22.xi.42.
John Singleton, 7.v.40.	George Stacey, 18.iii.41.
George Skelthorp, 23.iii.09.	Thomas Stafford, 3.iii.37.
Anthony Smith, 18.vi.08.	James Stagles, 27.iii.28.
Bryan Smith, 30.iv.25.	Mary Stanford, 3.viii.26.
Edward Smith, 11.ii.51.	Margaret Stanton, 24.xi.40.
Ely Smith, 8.viii.50.	Robert Steel, 23.x.51.
Francis Smith, 12.x.63.	Samuel Steele, 11.ii.34.
Henry Smith, 16.v.50.	Benjamin Stevens, 9.vii.45
James Smith, 20.v.28.	Charles Stevens, 4.vi.70.
James Smith, 13.iv.43.	John Stevens, 16.ix.41.

John Stevens, 1.viii.46.

John Stevens, 29.iv.52.

William Stevens, 18.iii.48.

Timothy Steward, 28.iii.64.

John Stewart, 4.viii.49.

John Stockdale, 23.vi.53.

Thomas Stone, 17.xii.64.

Francis Stoner, 17.xii.64.

Shepherd Strutton, 16.v.70.

Richard Studder, 22.xi.42.

Jermiah Sullivan, 11.ii.51.

Martin Sullivan 29.x.53.

Michael Sullivan, 18.v.57.

James Sundiland, 26.iii.50.

George Sutton, 3.iii.37.

John Swift, 15.vi.63.

William Swift, 14.iii.26.

William Sylvester, 8.xi.38.

William Symmonds, 11.ii.34.

Thomas Talbot, 17.vi.51.

John Tarlton, 24.v.36.

Thomas Tavernor, 9.vii.34.

George Taylor, 3.x.50.

John Taylor, 17.iv.65.

Mary Taylor, 20.v.28.

Robert Taylor, 23.xii.30.

Elizabeth Tetherington, 21.vii.03.

Benjamin Thomas, 22.vi.48.

George Thomas, 1.viii.46.

Jonathan Thomas, 8.xi.38.

Samuel Thomas, 29.i.33.

Alexander Thompson, 21.ii.56.

John Thomson, 4.v.22.

Thomas Thompson, 28.x.48.

Thomas Thompson, 15.ii.64.

Daniel Thorowgood, 29.vii.51.

William Tiod, 31.xii.50.

Judith Tilley, 4.iv.46.

James Timms, 18.iii.41.

Thomas Timms, 11.viii.27.

James Tims, 4.v.22.

William Tinman, 26.v.38.

Daniel Tipping, 26.vii.32.

Daniel Tipping, 9.viii.32.

Philip Tobin, 12.x.63.

Richard Tobin, 30.v.39.

James Toon, 20.v.28.

John Toon, 26.v.38.

- John Totterdale, 5.x.37.
 Charles Towers, 4.i.25.
 Richard Town, 23.xii.12.
 John Toyner, 25.ix.13.
 Elizabeth Tracey, 2.x.34.
 William Tracey, 24.ix.31.
 Richard Trantham, 25.v.23.
 Richard Trap, 14.v.31.
 Thomas Trevis, 17.iii.55.
 William Trevors, 20.xii.31.
 Grace Trippe, 17.iii.10.
 John Trippuck, 29.i.20.
 Edward Tudor, 8.iii.34.
 John Turner, 20.xi.27.
 John Turner, 29.iv.52.
 Richard Turner, 21.xii.39.
 Rowland Turner, 5.iii.33.
 Thomas Turner, 25.ix.13.
 John Turtle, 11.vi.64.
 Thomas Twinbrow, 6.viii.53.
 James Tyler, 8.viii.50.
 William Tyler, 3.x.50.
 John Tyrrel, 17.vi.23.
 William Udall, 14.iii.39.
 Joseph Upton, 8.xi.38.
 Anne Vaine, 26.iv.49.
 Josiah Vanhuysse, 16.ix.09.
 John Vaughan, 9.x.32.
 Christopher Wade, 21.ii.56.
 William Wager, 3.iii.37.
 John Wakeling, 5.vi.32.
 Jesse Walden, 7.iv.42.
 James Walker, 21&23.xii.47.
 William Wall, 19.vii.38.
 Margaret Wallis, 27.iii.28.
 Anthony Walraven, 28.viii.24.
 Ann Walsam, 23.iii.52.
 Joseph Walters, 26.iv.49.
 Dthey Walton, 19.ix.12.
 Edward Ward, 17.vi.51.
 George Ward, 24.v.36.
 John Ward, 13.ii.65.
 Phebe Ward, 22.xii.11.
 William Ward, 25.iv.33.
 William Ward, 13.vii.52.
 William Wardlow, 21&23.xii.47.
 John Warham, 4.iv.46.
 William Warner, 13.i.42.

- John Watkins, 17.xii.64.
 John Watlin, 31.xii.50.
 James Watling, 22.vi.48.
 George Watson, 26.vi.54.
 George Watson, 18.v.43.
 George Watson, 5.vii.36.
 Margaret Watson, 13.i.42.
 Theophilus Watson, 24.xii.44.
 Thomas Watson, 18.i.38.
 Benjamin Watts, 17.iii.49.
 Henry Webb, 8.viii.50.
 John Webb, 4.iv.46.
 Grace Weeden, 16.iv.53.
 George Weedon, 12.ii.28.
 Abraham Wells, 30.v.39.
 Ann Wells, 7.xi.44.
 Jane Wells, 25.ix.13.
 Joseph Wells, 16.xii.09.
 Thomas Wells, 24.xii.44.
 James Welsh, 13.i.42.
 John Welton, 29.i.33.
 Edward Wentland, 22.v.32.
 John Weskett, 9.i.65.
 Anthony Westley, 11.ii.51.
 William West, 5.iii.33.
 John Whalebone, 3.xi.25.
 George Whalley, 8.xi.38.
 Thomas Wheeler, 22.iii.27.
 James Whem, 13.x.62.
 Thomas Whitby, 19.xii.33.
 Abraham White, 23.xii.30.
 Dominick White, 26.iv.49.
 Edward White, 22.xi.42.
 James White, 6.xi.23.
 Mary White, 7.vi.45.
 Viner White, 9.x.32.
 William Whitford, 23.xii.30.
 Isaac Whitehead, 18.i.38.
 Richard Whiting, 6.xi.23.
 Joseph Whitlock, 19.xii.33.
 James Whitney, 22.ix.35.
 Samuel Whittel, 3.iv.21.
 Anthony Whittle, 3.x.50.
 William Whitton, 17.xii.64.
 William Whurrier, 18.iii.48.
 John Wigley, 11.ix.21.
 Jonathan Wigmore, 12.xi.55.
 Thomas Wilford, 2.vii.52.

John Wilkes, 11.x.52.	Thomas Woolcot, 20.xii.31.
John Wilkins, 21.i.47.	William Woolcot, 5.vi.32.
Robert Wilkinson, 24.ix.22.	Henry Woolford, 3.iv.21.
Vincent Will, 11.ii.51.	Benjamin Woolse, 24.xii.44.
Edward Williams, 13.ii.65.	Elizabeth Wright, 19.xii.33.
James Williams, 6.viii.53.	Moses Wright, 3.x.50.
Thomas Williams, 22.iii.1704.	Richard Wright, 3.x.50.
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William Williams, 8.iii.31.	Thomas Wright, 5.x.44.
Sarah Wilmshurst, 18.v.43.	George Wych, 8.iii.31.
Hannah Wilson, 1.x.53.	William Yates, 26.vii.31.
Philip Wilson, 1.x.53.	James Young, 26.iii.50.
Thomas Wilson, 24.ix.22.	Mary Young, 18.iii.41.
Thomas Wims, 29.iv.24.	Hosea Youell, 16.xi.47.
Robert Winroe, 13.vii.52.	
John Winshipp, 28.vii.21.	
Reynolds Winter, 14.iii.22.	
John Wisdell, 19.vii.38.	
William Withal, 26.x.20.	
William Witherington, 29.iv.24.	
James Wolfe, 4.iv.46.	
Thomas Wommersley, 26.vi.54.	
John Wood, 16.v.70.	
Francis Woodmarsh, 14.v.31.	

APPENDIX V

A COMPARISON OF THE NUMBER OF PERSONS PER TRADE
AMONG THE HANGED, THE TAXED, AND INDENTURED SERVANTS
IN THE FIRST HALF OF THE EIGHTEENTH CENTURY

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HANGED, THE TAXED, AND INDENTURED SERVANTS IN THE FIRST HALF
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For a discussion of the sources and the problems posed by the material tabulated below, see above pages . Column "1" shows the number of the hanged belonging to the trade, column "2" the number of taxed apprentices, and column "3" the number of indentured servants in each trade going to America. The proportion of persons in a particular trade is sometimes indicated as a percentage of the group as a whole.

TRADE	1	2	3	REMARKS
Attorney	-	18	-	See "lawyer."
Apothecary	4 0.8%	18 1.7%	-	See "surgeon."
Baker	14 2.9%	29 2.8%	6 1.0%	
Barber and wigmaker	23 4.8%	54 5.3%	18 3.2%	
Basket maker	-	4	-	
Blacksmith	17 3.5%	39 3.8%	4	See "smith."
Block maker	1	-	1	
Bookbinder	-	4	1	
Box maker	2	-	2	
Brass founder	-	-	1	
Brazier	1	5	1	
Breeches maker	5	-	-	
Brickmaker	14	-	-	See "bricklayer."

TRADE	1	2	3	REMARKS
Bricklayer	5	6	33 6.0%	* See "joiner."
Broom-maker	-	-	1	
Brush maker	-	-	1	
Buckle maker	2	3	-	
Butcher	45 9.4%	34 3.3%	9 1.6%	
Button maker	1	-	-	
Cabinet maker	7	4	*	
Cab maker	1	-	-	
Callico printer	-	-	1	
Card maker	2	1	-	
Carpenter	21 4.3%	45 4.4%	53 9.7%	
Carter	3	-	-	
Carver	1	2	1	
Caulker	-	3	-	
Chair maker	1	1	3	
Chapman	-	6	-	
Chimney-sweeper	3	1	1	
China shop-keeper	1	+	-	
Chocolate maker	2	-	-	

TRADE	1	2	3	REMARKS
Engine winder	-	17	-	See "hatter."
Engraver	-	5	1	
Fan maker	-	6	-	
Farrier	4	3	2	
Feltmaker	-	6	-	
Fisherman	-	-	6	
Fishmonger	-	2	-	
Flaxter	3	-	-	
Footman	-	-	4	
Founder	2	-	2	
Framework knitter	-	17	-	
Fruiterer	-	1	-	
Gardiner	12 2.5%	3	12 2.1%	
Gilder	-	3	1	
Girdler	-	-	1	
Glass cutter	1	-	-	
Glass grinder	1	-	2	
Glazier	7	4	1	
Glover	2	10	3	
Gold beater	-	-	1	
Goldsmith	5	4	2	
Grazier	-	1	-	
Grocer	4	10	4	

TRADE	1	2	3	REMARKS
Groom	-	-	8	See "feltmaker."
Gun maker	-	3	-	
Gunsmith	2	-	2	
Haberdasher	1	6	1	
Hatter	4	1	5	
Heel maker	1	-	-	
Hemp dresser	-	-	1	
Hoop maker	-	1	-	
Hosier	---	3	-	
Hostler	-	-	1	
Hotpresser	2	2	-	
Housekeeper	-	-	3	
Husbandman	-	-	11	
Instrument maker	-	1	-	
Iron monger	1	4	1	
Ivory turner	1	-	1	
Jag boot maker	4	-	-	
Jeweler	1	2	1	
Joiner	1	23 2.2%	18 3.2%	
Lawyer	2	-	-	See "attorney."
Leather seller	-	2	-	

TRADE	1	2	3	REMARKS
Linemaker	-	-	1	
Linen draper	3	-	-	
Linen printer	1	-	-	
Locksmith	1	2	-	
Malster	-	2	-	
Mantua maker	2	19	2	
Map maker	1	-	-	
Mariner	-	11	-	
Mason	1	6	*	*included with bricklayers
Mercer	1	38* 3.7%	1	*and merchants
Miller	2	-	-	
Milliner	-	6	-	
Mill wright	-	2	-	
Musician	-	-	1	
Needle maker	1	-	1	
Needle work	2	3	-	
Oar maker	-	-	1	
Packer	1	-	1	
Painter	3	-	7	
Paper maker	1	-	-	

TRADE	1	2	3	REMARKS
Patten maker	1	3	1	
Pewterer	-	2	-	
Pin maker	1	1	2	
Pipe maker	1	-	-	
Plasterer	8	-	7	
Ploughwright	-	1	-	
Plumber	2	4	-	
Porter	-	1	-	
Potter	1	-	-	
Poulterer	3	4	-	
Printer	3	1	1	
Pulley maker	-	1	-	
Rope maker	-	4	-	
Sadler	3	11	-	
Sail maker	1	1	-	
Salter	-	1	-	
Sawyer	10 2.0%	-	12 2.1%	
Schoolmaster	-	-	4	
Sempstress	-	1	-	
Servant	-	-	5	
Shipwright	1	16	-	
Shoemaker	34 7.1%	15 1.5%	7 1.2%	See "cordwainer."

TRADE	1	2	3	REMARKS
Sieve maker	2	-	-	See "white smith."
Silk winder	2	-	-	
Silversmith	6	-	2	
Silver spinner	1	-	-	
Silver trimmer	1	-	-	
Skinner	-	4	-	
Slater	1	-	-	
Smith	-	-	16 2.9%	
Snuff box maker	-	1	-	
Spinner	1	4	-	
Starcher	-	3	-	See "Apothecary."
Stationer	-	9	-	
Stay maker	2	7	4	
Stocking trimmer	1	-	-	
Surgeon	2	12	6	
Surgical instrument maker	2	-	-	
Sword cutler	1	-	1	
Tallow chandler	2	13	-	
Tanner	3	5	-	

TRADE	1	2	3	REMARKS
Tailor	13 2.7%	63 6.2%	30 5.4%	
Throwster	-	-	2	
Tinplate maker	-	4	-	
Tobacconist	-	2	1	
Toy maker	-	2	-	
Turner	1	8	-	
Twine spinner	-	-	1	
Twister	-	-	1	
Upholster	2	5	4	
Victualler	1	1	-	
Vintner	-	10	9	
Waggoner	1	-	-	
Watch maker	6 1.2%	19 1.8%	6 1.0%	
Waterman	15 3.1%	-	-	
Weaver	46 9.6%	50 4.9%	50 9.1%	
Wine dealer	1	-	-	
Wheelwright	1	21	2	
Whip maker	-	-	1	
Whitesmith	-	3	-	See "silversmith."

TRADE	1	2	3	REMARKS
Wire drawer	-	1	-	
Wool comber	4	8	-	
Wool winder	-	1	-	
Writer	-	-	7	
TOTAL	478	1003	546	

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Because chapter one, "Some Soundings in the Judicial Records," describes in detail the exact series of archival documentation that I have relied on, this bibliography lists only the principal manuscript classes; it avoids wherever possible the listing of individual documents.

The location list of the Ordinary's Accounts, on the other hand, attempts to provide as much pertinent bibliographic information as possible because heretofore this source has not been the subject of serious bibliographic study.

The final section, that on secondary sources, lists only those works cited in the text. Of course many others have been useful to me in this study though I have not had occasion to cite them directly. Two works inspired this study, viz., E.P. Thompson, The Making of the English Working Class (1963), and Malcolm X, Autobiography (New York, 1965). In addition I must mention Mandeville's Fable of the Bees and Marx's Capital both of which have influenced my thinking to a far greater extent than the infrequent mentions of them in the notes might suggest.

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II. A LOCATION LIST OF THE ORDINARY'S ACCOUNTS

At each eighteenth century Tyburn hanging the Ordinary of Newgate published a pamphlet (which I have abbreviated, "The Ordinary's Account") whose full title is as follows:

THE
ORDINARY OF NEWGATE,
His ACCOUNT of the
Behavior, Confession, and Dying Words,
of the
MALEFACTORS
Who were Executed at TYBURN,
ON
WEDNESDAY the 7th of NOVEMBER, 1744.
BEING THE
Fourth EXECUTION in the MAYORALTY
of the
Right Hon^{ble}. Sir Robert Westley, Knt.
LORD-MAYOR of the CITY of LONDON.

Except for the date, the name of the Lord Mayor, and the indication as to which hanging in the mayoral year is being described, the title of these Accounts remained unchanged during the century. A great many of these pamphlets have survived scattered about in the major libraries of England and the United States. The following pages present a location list of two hundred and thirty-seven of them. No doubt there are ~~many~~ others that have escaped ~~my~~ searches, and for that reason the present list must be regarded as preliminary though one may hope that it will be only one step towards the time when a full bibliography of the Account can be completed.¹

¹ Standard bibliographies of eighteenth century British history do not attempt to list the Accounts. See for example, L.W. Hanson, Contemporary Printed Sources for British and Irish Economic History, 1701-1750 (Cambridge, 1963), and D.J. Medley, Bibliography of British History: The Eighteenth Century (Oxford, 1951).

This location list is the result of searches conducted in the following libraries: the British Museum Reading Room (Brit. Mus.), the Bodleian (Bodl.), the Westminster District Library at Marylebone Road (Marylebone), the Guildhall Library of the Corporation of London (Guildhall), the Bishopsgate Institute (Bishopsgate), The Greater London Council Record Office, Middlesex Division (Middlesex), the Greater London Council Member's Library, the Library of the Harvard University Law School (Harvard), the Library of the Columbia University Law School (Columbia), The London Library of the Society of Antiquaries, the Library of the London Museum, the Library of the Inner Temple, the Library of Lincoln's Inn, and the Minet Library in Lambeth.

The Accounts in this list are enumerated in consecutive chronological order, 1-237. Each entry contains wherever possible the following information. First, the day of the week and the date of the hanging described; this will be approximately the same as the date of publication. Second, the price of the Account. Third, the number of pages it contains. Fourth, the name of the Lord Mayor during whose term the execution took place. Fifth, a Roman numeral expressing which hanging of the Mayoral year is described. Sixth, the inclusive dates of the sessions which sentenced the felons to death. Unless indicated "Admiralty" or "King's Bench," the sessions is always Gaol Delivery for the County of Middlesex and Gaol Delivery and Oyer and Terminer for the City of London, both of which met simultaneously or

successively at the Old Bailey. Seventh, the name(s) of the printer(s) of the Account. Eighth, and finally, each entry specifies in abbreviated form the library or libraries where the Account may be found.

The conventions for catalogueing the Accounts vary from library to library. At Columbia University they are not catalogued at all and may be found bound with the Old Bailey Proceedings. At the British Museum some are catalogued under "London Sessions" while others are catalogued under the name of the Ordinary who had them published. At Guildhall the Accounts are catalogued under "Newgate," though the entries there are incomplete. The Bodleian copy of R.T. Milford and D.M. Sutherland, A Catalogue of English Newspapers and Periodicals in the Bodleian Library, 1622-1800 (1936) is interleaved with a manuscript listing of that libraries holdings of the Accounts.

In the preparation of this list I have received help from many friends and colleagues. For their kind responses to my enquiries I should like to thank W.W.S. Breem, Librarian of the Inner Temple, C.W. Ringrose, Librarian of Lincoln's Inn, D.R. Webb, Librarian of the Bishopsgate Institute, M.Y. Williams, Borough Archivist of Lambeth, John Hopkins, Librarian of the Society of Antiquaries of London, and the staffs of the British Museum Reading Room and the Bodleian. E.P. Thompson brought to my attention two Accounts that otherwise I would have missed. William Kellaway at the Institute of Historical Research patiently explained efficient methods of bibliographical presentation. Finally, I should like to thank Malcolm Thomas of the Library of the Society of Friends for his

many careful suggestions throughout the preparation of this list.

PAUL LORRAINE, ORDINARY OF NEWGATE (1700-1719)

1.

Wed., 21 July 1703

Lord Mayor: Samuel Daswood, Knt.

Sessions: 7-9 July 1703.

Printer: Elizabeth Mallet.

Brit. Mus.

2.

Wed., 22 March 1703/04.

Lord Mayor: John Parsons, Knt.

Sessions: 11 March 1703/04.

Printer: J. Downing.

Brit. Mus.

3.

Wed., 10 May 1704.

Lord Mayor: John Parsons, Knt.

Sessions: 26-28 April 1704.

Printer: Elizabeth Mallet.

Brit. Mus.

4.

Wed., 21 June 1704.

Lord Mayor: John Parsons, Knt.

Sessions: 1-2 June 1704.

Printer: J. Downing.

Brit. Mus.

5.

Fri., 22 September 1704.

Lord Mayor: John Parsons, Knt.

Sessions: 6-9 September 1704.

Printer: J. Downing.

Brit. Mus.

6.

Wed., 25 October 1704.

Lord Mayor: John Parsons, Knt.

Sessions: 11-13 October 1704.

Printer: J. Downing.

Brit. Mus.

7.

Wed., 7 February 1704/05.

Lord Mayor: Owen Buckingham, Knt.

Sessions: 15-17 January 1704/05.

Printer: J. Downing.

Brit. Mus.

8.

Fir., 4 May 1705.

Lord Mayor: Owen Buckingham, Knt.

Sessions: 18-20 April 1705.

Printer: J. Downing.

Brit. Mus.

9.

Wed., 15 May 1706.

Lord Mayor: Thomas Rawlinson, Knt.

Sessions: 8-9 May 1706.

Printer: Dryden Leach.

Brit. Mus.

10.

Fri., 2 May 1707.

Lord Mayor: Robert Bedingfield, Knt.

Sessions: 23-26 April 1707.

Printer: Dryden Leach.

Brit. Mus.

11.

Fri., 6 June 1707.

Lord Mayor: Robert Bedingfield, Knt.

Sessions: 28-30 May 1707.

Printer: Dryden Leach.

Brit. Mus.

12.

Fri., 12 September 1707.

Lord Mayor: Robert Bedingfield, Knt.

Sessions: 3-5 September 1707.

Printer: Dryden Leach.

Brit. Mus.

13.

Wed., 17 December 1707.

Lord Mayor: William Withers, Knt.

Sessions: 10-13 December 1707.

Printer: Benjamin Bragg.

Brit. Mus.

14.

Wed., 28 January 1707/08.

Lord Mayor: William Withers, Knt.

Sessions: 15-19 January 1707/08.

Printer: Benjamin Bragg.

Brit. Mus.

15.

Wed., 3 March 1707/08.

Lord Mayor: William Withers, Knt.

Sessions: 25-26 February 1707/08.

Printer: Benjamin Bragg.

Brit. Mus.

16.

Wed., 28 April 1708.

Lord Mayor: William Withers, Knt.

Sessions: 14-15 April 1708.

Printer: Benjamin Bragg.

Brit. Mus.

17.

Fri., 18 June 1708.

Lord Mayor: William Withers, Knt.

Sessions: Admiralty, 2 June 1708.

Printer: Benjamin Bragg.

Brit. Mus.

18.

Fri., 24 September 1708.

Lord Mayor: William Withers, Knt.

Sessions: 9-10 September 1708.

Printer: Benjamin Bragg.

Brit. Mus.

19.

Wed., 27 October 1708.

Lord Mayor: William Withers, Knt.

Sessions: 13-16 October 1708.

Printer: Benjamin Bragg.

Brit. Mus.

20.

Fri., 17 December 1708.

Lord Mayor: Charles Duncomb, Knt.

Sessions: 8-11 December 1708.

Printer: Benjamin Bragg.

Brit. Mus.

21.

Wed., 23 March 1708/09.

Lord Mayor: Charles Duncomb, Knt.

Sessions: 2, 3, & 10 March 1708/09.

Printer: Benjamin Bragg.

Brit. Mus.

22.

Wed., 18 May 1709.

Lord Mayor: Charles Duncomb, Knt.

Sessions: 4-6 May 1709.

Printer: Benjamin Bragg.

Brit. Mus.

23.

Fri., 24 June 1709.

Lord Mayor: Charles Duncomb, Knt.

Sessions: 8-9 June 1709.

Printer: Benjamin Bragg.

Brit. Mus.

24.

Fri., 16 September 1709.

Lord Mayor: Charles Duncomb, Knt.

Sessions: 7-9 September 1709.

Printer: Benjamin Bragg.

Brit. Mus.

25.

Fri., 16 December 1709.

Lord Mayor: Samuel Garrard, Knt.

Sessions: 7-8 December 1709.

Printer: Benjamin Bragg.

Brit. Mus.

26.

Fri., 17 March 1709/10.

Lord Mayor: Samuel Garrard, Knt.

Sessions: 6-11 March 1709/10.

Printer: Benjamin Bragg.

Brit. Mus.

27.

Sat., 22 December 1711.

Lord Mayor: Robert Beachcroft, Knt.

Sessions: 5-7 December 1711.

Printer: J. Morphew.

Brit. Mus.

28.

Fri., 1 August 1712.

Lord Mayor: Robert Beachcroft, Knt.

Sessions: 16-17 July 1712.

Printer: R. Brugis and J. Morphew.

Brit. Mus.

29.

Fri., 19 September 1712. 2d. 1-6pp.

Lord Mayor: Robert Beachcroft, Knt.

Sessions: 10-12 September 1712.

Printer: J. Morphew.

Brit. Mus.

30.

Fri., 31 October 1712. 2d. 1-6pp.

Lord Mayor: Robert Beachcroft, Knt.

Sessions: (not stated)

Printer: R. Brugis and J. Morphew.

Brit. Mus.

31.

Tues., 23 December 1712. 2d. 1-6pp.

Lord Mayor:

Sessions: 10-13 December 1712.

Printer: J. Morphew.

Brit. Mus.

32.

Sat., 31 January 1712/13. No price. 1-6pp.

Lord Mayor:

Sessions: 16-19 January 1712/13.

Printer: J. Morphew.

Brit. Mus.

33.

Fri., 13 March 1712/13. No price. 1-6pp.

Lord Mayor:

Sessions: 25-27 February 1712/13.

Printer: J. Morphew.

Brit. Mus.

34.

Fri., 25 September 1713. No price. 1-6pp.

Lord Mayor:

Sessions: 9-12 September 1713.

Printer: J. Morphew.

Brit. Mus.

35.

Mon., 5 December 1715, 1 1/2d. 1-5pp.

Lord Mayor:

Sessions: Admiralty, 9 November 1715.

Printer: J. Morphew.

Brit. Mus.

36.

Wed., 7 December 1715. 1 1/2d. 1-6pp.

Lord Mayor:

Sessions: King's Bench, 22 November 1715.

Printer: J. Morphew.

Brit. Mus.

37.

Mon., 23 July 1716. 2d. 1-6pp.

Lord Mayor:

Sessions: 4-7 July 1716.

Printer: J. Morphew.

Brit. Mus., Bodl.

38.

Fri., 21 September 1716. No price. 1-6pp.

Lord Mayor:

Sessions: 6-10 September 1716.

Printer: J. Morphew.

Brit. Mus.

39.

Wed., 19 March 1717/18. No price. 1-6pp.

Lord Mayor:

Sessions: 6 March 1717/18.

Printer: J. Morphew.

Brit. Mus.

THOMAS PURNEY, ORDINARY OF NEWGATE (1719-1727)

40.

Fri., 29 January 1719/20. 1 1/2d. 1-6pp.

Lord Mayor:

Sessions: 4-7 December 1719.

Printer: John Applebee.

Bodl.

41.

Wed., 26 October 1720. No price. 1-6pp.

Lord Mayor:

Sessions:

Printer: John Applebee.

Bodl.

42.

Mon., 3 April 1721. No price. 1-6pp.

Lord Mayor:

Sessions:

Printer: John Applebee.

Bodl.

43.

Fri., 28 July 1721. No price. 1-6pp.

Lord Mayor:

Sessions: 12 July 1721.

Printer: John Applebee.

Bodl.

44.

Mon., 11 September 1721. No price. 1-6 pp.

Lord Mayor:

Sessions: 30 August 1721.

Printer: John Applebee.

Bodl.

45.

Wed., 14 March 1721/22. No price. 1-6pp.

Lord Mayor:

Sessions: 23 February 1721/22.

Printer: John Applebee.

Bodl.

46.

Fri., 4 May 1722. No price. 1-6pp.

Lord Mayor:

Sessions: 4 April 1722.

Printer: John Applebee.

Bodl.

47.

Wed., 18 July 1722. No price. 1-6pp.

Lord Mayor:

Sessions: 4 July 1722.

Printer: John Applebee.

Bodl.

48.

Mon., 24 September 1722. No price. 1-6pp.

Lord Mayor:

Sessions: 12 September 1722.

Printer: John Applebee.

Brit. Mus. Bodl.

49.

Fri., 9 November 1722. No price. 1-6pp.

Lord Mayor: William Stewart, Knt.

Sessions: 10-12 October 1722.

Printer: John Applebee.

Brit. Mus., Bodl.

50.

Mon., 31 December 1722. No price. 1-6pp.

Lord Mayor: Gerard Conyers, Knt.

Sessions: 5-7 December 1722.

Printer: John Applebee.

Bodl.

51.

Mon., 8 April 1723. No price. 1-6pp.

Lord Mayor: Gerard Conyers, Knt.

Sessions: 27 February 1722/23.

Printer: John Applebee.

Bodl.

52.

Sat., 25 May 1723. No price. 1-6pp.

Lord Mayor: Gerard Conyers, Knt.

Sessions: 24 April 1723.

Printer: John Applebee.

Bodl.

53.

Mon., 17 June 1723. No price. 1-6pp.

Lord Mayor: Gerard Conyers, Knt.

Sessions: 30 May 1723.

Printer: John Applebee.

Bodl.

54.

Mon., 5 August 1723. No price. 1-6pp.

Lord Mayor: Gerard Conyers, Knt.

Sessions: 10 July 1723.

Printer: John Applebee.

Bodl.

55.

Mon., 9 September 1723. No price. 1-6pp.

Lord Mayor: Gerard Conyers, Knt.

Sessions:

Printer: John Applebee.

Bodl.

56.

Wed., 6 November 1723. No price. 1-6pp.

Lord Mayor: Gerard Conyers, Knt.

Sessions: 16 October 1723.

Printer: John Applebee.

Bodl.

57.

Wed., 4 December 1723. No price.

Lord Mayor: Peter Delme, Knt.

Sessions: King's Bench, 13 November 1723.

Printer: John Applebee.

58.

Wed., 29 April 1724. No price. 1-6pp.

Lord Mayor: Peter Delme, Knt.

Sessions: 26 February and 15 April 1724.

Printer: John Applebee.

Bodl.

59.

Mon., 15 June 1724. No price. 1-6pp.

Lord Mayor: Peter Delme, Knt.

Sessions: 21 May 1724.

Printer: John Applebee.

Bodl.

60.

Fri., 28 August 1724. No price. 1-6pp.

Lord Mayor: Peter Delme, Knt.

Sessions: 8-10 July 1724.

Printer: John Applebee.

Bodl.

61.

Mon., 7 December 1724. No price. 1-6pp.

Lord Mayor: George Mертtins, Knt.

Sessions: 4 October 1724.

Printer: John Applebee.

Bishopsgate.

62.

Tues., 5 January 1724/25. No price. 1-6pp.

Lord Mayor: George Mертtins, Knt.

Sessions: 4-9 December 1724.

Printer: John Applebee.

Bodl.

63.

Mon., 1 February 1724/25. No price. 1-6pp.

Lord Mayor: George Mертtins, Knt.

Sessions: 15-19 January 1724/25.

Printer: John Applebee.

Bodl.

64.

Fri., 30 April 1725. No price. 1-6pp.

Lord Mayor: George Mертtins, Knt.

Sessions: 7-10 April 1725.

Printer: John Applebee.

Bodl.

JAMES GUTHRIE, ORDINARY OF NEWGATE (1727-1746)

65.

Wed., 3 November 1725. 2d. 1-4pp.

Lord Mayor: George Merttins, Knt.

Sessions: 13-15 October 1725.

Printer: John Applebee.

Bodl.

66.

Wed., 22 December 1725. 2d. 1-4pp.

Lord Mayor: Francis Forbes, Knt.

Sessions: 8-14 December 1725.

Printer: John Applebee.

Bodl.

67.

Fri., 18 February 1725/26. 2d. 1-4pp.

Lord Mayor: Francis Forbes, Knt.

Sessions: 14-17 January 1725/26.

Printer: John Applebee.

Bodl.

68.

Mon., 14 March 1725/26. 2d. 1-4pp.

Lord Mayor: Francis Forbes, Knt.

Sessions: 2-7 March 1725/26.

Printer: John Applebee.

Bodl.

69.

Mon., 27 June 1726. 2d. 1-4pp.

Lord Mayor: Francis Forbes, Knt.

Sessions: 25-27 May 1726.

Printer: John Applebee.

Bodl.

70.

Wed., 3 August 1726. 2d. 1-4pp.

Lord Mayor: Francis Forbes, Knt.

Sessions: 13-16 July 1726.

Printer: John Applebee.

Bodl.

71.

Mon., 12 September 1726. 2d. 1-4pp.

Lord Mayor: Francis Forbes, Knt.

Sessions: 1-3 September 1726.

Printer: John Applebee.

Bodl.

72.

Thurs., 3 November 1726. 2d. 1-4pp.

Lord Mayor: Francis Forbes, Knt.

Sessions: 12-15 October 1726.

Printer: John Applebee.

Bodl.

73.

Mon., 13 February 1726/27. 2d. 1-4pp.

Lord Mayor: John Eyles, Knt.

Sessions: 7-14 December and 13-18 January 1726/27.

Printer: John Applebee.

Bodl.

74.

Wed., 22 March 1726/27. 2d. 1-4pp.

Lord Mayor: John Eyles, Knt.

Sessions: 22-25 February 1726/27.

Printer: John Applebee.

Bodl.

75.

Fri., 11 August 1727. No price. 1-4pp.

Lord Mayor: John Eyles, Knt.

Sessions: 5-8 July 1727.

Printer: John Applebee.

Bodl.

76.

Mon., 18 September 1727. 2d. 1-4pp.

Lord Mayor: John Eyles, Knt.

Sessions: 30 August - 1 September 1727.

Printer: John Applebee.

Bodl.

77.

Mon., 20 November 1727. 2d. 1-4pp.

Lord Mayor: John Eyles, Knt.

Sessions: 17-19 October 1727.

Printer: John Applebee.

Bodl.

78.

Mon., 12 February 1727/28. 2d. 1-4pp.

Lord Mayor: Edward Becher, Knt.

Sessions: 17-20 January 1727/28.

Printer: John Applebee.

Bodl.

79.

Wed., 27 March 1728. 2d. 1-4pp.

Lord Mayor: Edward Becher, Knt.

Sessions: 28 February - 5 March 1727/28.

Printer: John Applebee.

Bodl.

80.

Mon., 20 May 1728. 3d. 1-4pp.

Lord Mayor: Edward Becher, Knt.

Sessions: 1-7 May 1728.

Printer: John Applebee.

Bodl.

81.

Wed., 23 December 1730. 3d.

Lord Mayor: Humphrey Parsons, Knt. I.

Sessions: 4-9 December 1730.

Printer: John Applebee.

Marylebone, Harvard.

82.

Mon., 8 March 1730/31. ed.

Lord Mayor: Humphrey Parsons, Knt. II.

Sessions: 15-19 January and 24-25 February 1730/31.

Printer: John Applebee.

Marylebone, Harvard.

83.

Fri., 14 May 1731. 3d.

Lord Mayor: Humphrey Parsons, Knt. III.

Sessions: 28 April - 1 May 1731.

Printer: John Applebee.

Marylebone, Harvard.

84.

Wed., 16 June 1731. 3d.

Lord Mayor: Humphrey Parsons, Knt. IV.

Sessions: 2-4 June 1731.

Printer: John Applebee.

Marylebone, Harvard.

85.

Mon., 26 July 1731. 3d.

Lord Mayor: Humphrey Parsons, Knt. V.

Sessions: 14-17 July 1731.

Printer: John Applebee.

Marylebone, Harvard.

86.

Fri., 24 September 1731. 3d.

Lord Mayor: Humphrey Parsons, Knt. VI.

Sessions: 8-9 September 1731.

Printer: John Applebee.

Marylebone, Harvard.

87.

Mon., 20 December 1731. 3d.

Lord Mayor: Francis Child, Knt. I.

Sessions: 13-15 October and 8-13 December 1731.

Printer: John Applebee.

Marylebone, Columbia.

88.

Mon., 14 February 1731/32. 3d.

Lord Mayor: Francis Child, Knt. II.

Sessions: 14-19 January 1731/32.

Printer: John Applebee.

Marylebone, Bodl., Columbia.

89.

Mon., 6 March 1731/32. 3d.

Lord Mayor: Francis Child, Knt. III.

Sessions: 23-25 February 1731/32.

Printer: John Applebee.

Marylebone, Bodl., Columbia.

90.

Mon., 22 May 1732. 3d.

Lord Mayor: Francis Child, Knt. IV.

Sessions: 19-22 April 1732.

Printer: John Applebee.

Marylebone, Columbia.

91.

Mon., 5 June 1732. 3d.

Lord Mayor: Francis Child, Knt. V.

Sessions: 25-29 May 1732.

Printer: John Applebee.

Marylebone, Columbia.

92.

Wed., 26 July 1732. 3d.

Lord Mayor: Francis Child, Knt. VI.

Sessions: 5-8 July 1732.

Printer: John Applebee.

Marylebone.

93.

Wed., 9 August 1732. 3d.

Lord Mayor: Francis Child, Knt. VII.

Sessions: 5-8 July 1732.

Printer: John Applebee.

Bodl., Columbia.

94.

Mon., 9 October 1732. 3d.

Lord Mayor: Francis Child, Knt. VIII.

Sessions: 6-11 September 1732.

Printer: John Applebee.

Marylebone, Bodl., Columbia.

95.

Mon., 16 October 1732. 3d.

Lord Mayor: Francis Child, Knt. IX.

Sessions: 6-11 September 1732.

Printer: John Applebee.

Marylebone, Bodl.

96.

Mon., 29 January 1732/33. 6d. 1-25pp.

Lord Mayor: John Barber, Knt. I.

Sessions: 11-13 October, 7-11 December, and 13-15 January 1732/33.

Printer: John Applebee.

Marylebone, Bodl., Harvard, Columbia.

97.

Mon., 5 March 1732/33. 6d. 1-25pp.

Lord Mayor: John Barber, Knt. II.

Sessions: 21-24 February 1732/33.

Printer: John Applebee.

Marylebone, Bodl., Harvard, Columbia.

98.

Wed., 25 April 1733. 6d. 1-25 pp.

Lord Mayor: "Lord Mayor for the Time Being," III.

Sessions: 4-7 April 1733.

Printer: John Applebee.

Marylebone, Harvard, Columbia.

99.

Mon., 28 May 1733. 3d. 1-6pp.

Lord Mayor: "Lord Mayor for the Time Being," IV.

Sessions: 10-12 May 1733.

Printer: John Applebee.

Marylebone, Harvard, Columbia.

100.

Sat., 6 October 1733. 3d. 1-6pp.

Lord Mayor: "Lord Mayor for the Time Being," V.

Sessions: 28-30 June and 12-15 September 1733.

Printer: John Applebee.

Marylebone, Harvard.

101.

Wed., 19 December 1733. 6d. 1-28pp.

Lord Mayor: William Billers, Knt. I.

Sessions: 10-12 October 1733.

Printer: John Applebee.

Bodl., Harvard, Columbia.

102.

Mon., 11 February 1733/34. 4d. 1-20pp.

Lord Mayor: William Billers, Knt. II.

Sessions: 16-18 January 1733/34.

Printer: John Applebee.

Bodl., Harvard.

103.

Fri., 8 March 1733/34. 4d. 1-20pp.

Lord Mayor: William Billers, Knt. III.

Sessions: 27 February - 1 March 1733/34.

Printer: John Applebee.

Bodl., Harvard.

104.

Tues., 9 July 1734. 6d. 1-28pp.

Lord Mayor: William Billers, Knt. IV.

Sessions: 24-26 April 1734.

Printer: John Applebee.

Bodl., Harvard.

105.

Wed., 2 October 1734. 6d. 1-28pp.

Lord Mayor: William Billers, Knt. V.

Sessions: 10-12 July and 11-13 October 1734.

Printer: John Applebee.

Bodl., Harvard.

106.

Mon., 22 September 1735. 6d. 1-28pp.

Lord Mayor: Edward Bellamy, Knt. V.

Sessions: 11-17 September 1735.

Printer: John Applebee.

Bodl.

107.

Mon., 10 November 1735. 4d. 1-6pp.
 Lord Mayor: Edward Bellamy, Knt. VI.
 Sessions: 15-17 October 1735.
 Printer: John Applebee.
 Bodl.

108.

Wed., 4 February 1735/36. 4d. 1-20pp.
 Lord Mayor: John Williams, Knt. I.
 Sessions: 10-15 December and 15-17 January 1735/36.
 Printer: John Applebee.
 Brit. Mus., Bodl., Mddx.

109.

Mon., 24 May 1736. 6d. 1-20pp.
 Lord Mayor: John Williams, Knt. II.
 Sessions: 25-27 February and 6-11 May 1735/36.
 Printer: John Applebee.
 Brit. Mus., Bodl., Mddx.

110.

Mon., 5 July 1736. 4d. 1-20pp.
 Lord Mayor: John Williams, Knt. III.
 Sessions: 10-12 June 1736.
 Printer: John Applebee.
 Brit. Mus., Bodl., Mddx.

111.

Mon., 26 July 1736. fo.
 Lord Mayor: John Williams, Knt.
 Sessions: King's Bench, Trinity Term, 5 July 1736.
 Printer: John Applebee.

112.

Wed., 11 August 1736. 6d. 1-24pp.
 Lord Mayor: John Williams, Knt. IV.
 Sessions: 21-22 July 1736.
 Printer: John Applebee.
 Brit. Mus., Bodl., Mddx.

113.

Mon., 27 September 1736. 6d. 1-20pp.

Lord Mayor: John Williams, Knt. V.

Sessions: 8-13 September 1736.

Printer: John Applebee.

Brit. Mus., Bodl., Mddx.

114.

Tues., 2 November 1736. 6d. 1-20pp.

Lord Mayor: John Williams, Knt. VI.

Sessions: 13-15 October 1736.

Printer: John Applebee.

Brit. Mus., Bodl.

115.

Thurs., 3 March 1736/37. 6d. 1-20pp.

Lord Mayor: John Thompson, Knt. I

Sessions: 8-13 December, 14-17 January, and 16-19 February 1736/37.

Printer: John Applebee.

Brit. Mus., Bodl., Mddx.

116.

Wed., 29 June 1737. 6d. 1-20pp.

Lord Mayor: John Thompson, Knt. II.

Sessions: 20-23 April and 26-28 May 1737.

Printer: John Applebee.

Brit. Mus., Bodl., Mddx.

117.

Wed., 5 October 1737. 6d. 1-20pp.

Lord Mayor: John Thompson, Knt. III.

Sessions: 6-9 July and 7-9 September 1737.

Printer: John Applebee.

Brit. Mus., Bodl., Mddx.

118.

Wed., 18 January 1737/38. 6d. 1-20pp.

Lord Mayor: John Barnard, Knt. I

Sessions: 13-15 October and 7-12 December 1737.

Printer: John Applebee.

Brit. Mus., Bodl., Mddx.

119.

Wed., 8 March 1737/38. 6d. 1-20pp.

Lord Mayor: John Barnard, Knt. II.

Sessions: 13-16 January and 22-25 February 1737/38.

Printer: John Applebee.

Brit. Mus., Bodl., Mddx.

120.

Fri., 26 May 1738. 6d. 1-20pp.

Lord Mayor: John Barnard, Knt. III.

Sessions: 12-15 April 1738.

Printer: John Applebee.

Brit. Mus., Bodl., Mddx.

121.

Wed., 19 July 1738. 6d. 1-20pp.

Lord Mayor: John Barnard, Knt. IV.

Sessions: 18-20 May and 28 June - 1 July 1738.

Printer: John Applebee.

Brit. Mus., Bodl.

122.

Wed., 8 November 1738. 6d. 1-20pp.

Lord Mayor: John Barnard, Knt. V.

Sessions: 6-9, 11 September and 11-13 October 1738.

Printer: John Applebee.

Brit. Mus., Bodl.

123.

Fri., 22 December 1738. 6d. 1-20pp.

Lord Mayor: Micajah Perry, Knt. I.

Sessions: 6-9 December 1738 and, Admiralty, 10 November 1738.

Printer: John Applebee.

Brit. Mus., Bodl.

124.

Wed., 14 March 1738/39. 6d. 1-20pp.

Lord Mayor: Micajah Perry, Knt. II.

Sessions: 17-20 January and 21-24 February 1738/39.

Printer: John Applebee.

Brit. Mus., Bodl.

125.

Wed., 30 May 1739. 4d. 1-16pp.

Lord Mayor: Micajah Perry, Knt. III.

Sessions: 2-5 May 1739.

Printer: John Applebee.

Brit. Mus., Bodl., Mddx.

126.

Mon., 2 July 1739. 6d. 1-20pp.

Lord Mayor: Micajah Perry, Knt. IV.

Sessions: 7-9 June 1739.

Printer: John Applebee.

Brit. Mus., Bodl., Mddx.

127.

Fri., 3 August 1739. 6d. 1-20pp.

Lord Mayor: Micajah Perry, Knt. V.

Sessions: 18-20 July 1739.

Printer: John Applebee.

Brit. Mus., Bodl., Mddx.

128.

Fri., 21 December 1739. 6d. 1-20pp.

Lord Mayor: John Salter, Knt. I.

Sessions: 6-8 September, 17-19 October, and 5-10 December 1739.

Printer: John Applebee.

Brit. Mus., Bodl., Harvard.

129.

Wed., 13 February 1739/40. 6d. 1-20pp.

Lord Mayor: John Salter, Knt. II.

Sessions: 16-19 January 1739/40.

Printer: John Applebee.

Brit. Mus., Bodl., Mddx.

130.

Wed., 7 May 1740. 6d. 1-20pp.

Lord Mayor: John Salter, Knt. III.

Sessions: 27-29 February and 16-19 April 1739/40.

Printer: John Applebee.

Brit. Mus., Bodl., Mddx.

131.

Wed., 6 August 1740. 6d. 1-20pp.
 Lord Mayor: John Salter, Knt. IV.
 Sessions: 22-24 May and 9-11 July 1740.
 Printer: John Applebee.
 Brit. Mus., Bodl., Mddx.

132.

Mon., 24 November 1740. 6d. 1-20pp.
 Lord Mayor: John Salter, Knt. V.
 Sessions: 3-6 September and 15-18 October 1740.
 Printer: John Applebee.
 Brit. Mus., Bodl., Mddx.

133.

Wed., 18 March 1740/41. 6d 1-20pp. Part 1.
 Lord Mayor: Humphrey Parsons, Knt. I
 Sessions: 4-9 December, 16-20 January, and 25 February - 2 March 1740/41.
 Printer: John Applebee.
 Brit. Mus., Bodl.

134.

Wed., 18 March 1740/41. 6d. 1-20pp. Part 2.
 Lord Mayor: Humphrey Parsons, Knt. I.
 Sessions: 4-9 December, 16-20 January, and 25 February - 2 March 1740/41.
 Printer: John Applebee.
 Brit. Mus.

135.

Mon., 4 May 1741. 6d. 1-20pp.
 Lord Mayor: Daniel Lambert, Esq. I.
 Sessions: 8-10 April 1741.
 Printer: John Applebee
 Brit. Mus., Bodl.

136.

Fri., 12 June 1741. 6d. 1-20pp.
 Lord Mayor: Daniel Lambert, Esq. II.
 Sessions: 14-16 May 1741.
 Printer: John Applebee.
 Brit. Mus., Bodl.

137.

Fri., 31 July 1741. 6d. 1-18pp.

Lord Mayor: Daniel Lambert, Esq. III.

Sessions: 1-4 July 1741.

Printer: John Applebee.

Brit. Mus., Bodl.

138.

Mon., 14 September 1741. 6d. 1-20pp. Part 1.

Lord Mayor: Daniel Lambert, Esq. IV.

Sessions: 28 August - 1 September 1741.

Printer: John Applebee.

Brit. Mus., Bodl.

139.

Wed., 16 September 1741. 6d. 1-20pp. Part 2.

Lord Mayor: Daniel Lambert, Esq. V.

Sessions: 28 August - 1 September 1741.

Printer: John Applebee.

Brit. Mus., Bodl.

140.

Wed., 13 January 1741/42. 6d. 1-20pp. Part 1.

Lord Mayor: Robert Godschall, Knt. I.

Sessions: 14-16 October and 4-8 December 1741.

Printer: John Applebee.

Brit. Mus., Bodl.

141.

Wed., 13 January 1741/42. 6d. 1-20pp. Part 2.

Lord Mayor: Robert Godschall, Knt. I

Sessions: 14-16 October and 4-8 December 1741.

Printer: John Applebee.

Brit. Mus.

142.

Wed., 7 April 1742. 6d. 1-20pp.

Lord Mayor: Robert Godschall, Knt. II.

Sessions: 15-19 January and 24-27 February 1741/42.

Printer: John Applebee.

Brit. Mus., Bodl.

143.

Fri., 7 May 1742. 6d. 1-20pp.

Lord Mayor: Robert Godschall, Knt. III.

Sessions: 15-19 January 1741/42.

Printer: John Applebee.

Brit. Mus., Bodl.

144.

Mon., 12 July 1742. 6d. 1-20pp.

Lord Mayor: Robert Godschall, Knt. IV.

Sessions: 28 April - 3 May and 3-4 June 1742.

Printer: John Applebee.

Brit. Mus., Bodl.

145.

Thurs., 18 November 1742. 6d.

Lord Mayor: George Heathcote, Esq.

Sessions:

Printer: John Applebee.

Brit. Mus.

146.

Mon., 22 November 1742. 6d. 1-20pp.

Lord Mayor: Robert Willimot, Knt. I

Sessions: 9-13 September and 13-15 October 1742.

Printer: John Applebee.

Brit. Mus., Bodl.

147.

Tues., 13 April 1743. 6d. 1-20pp. Part 1.

Lord Mayor: Robert Willimot, Knt. II

Sessions: 8-10 December, 14-19 January, and 23-25 February 1742/43.

Printer: John Applebee.

Brit. Mus., Bodl.

148.

Tues., 13 April 1743. 6d. 1-20pp. Part 2.

Lord Mayor: Robert Willimot, Knt. I.

Sessions: 8-10 December, 14-19 January, and 23-25 February 1742/43.

Printer: John Applebee.

Brit. Mus., Bodl.

149.

Wed., 18 May 1743. 6d. 1-18pp.

Lord Mayor: Robert Willimot, Knt. III.

Sessions: 13-15 April 1743.

Printer: John Applebee.

Brit. Mus., Bodl.

150.

Fri., 21 October 1743. 6d. 1-20pp.

Lord Mayor: Robert Willimot, Knt., IV.

Sessions: 19-20 May, 29-30 June, and 7-12 September 1743.

Printer: John Applebee.

Brit. Mus., Bodl.

151.

Mon., 21 November 1743. 6d. 1-20pp.

Lord Mayor: Robert Willimot, Knt. V.

Sessions: 12-14 October 1743.

Printer: John Applebee.

Brit. Mus., Bodl.

152.

Fri., 17 February 1743/44. 6d. 1-20pp. Part 1.

Lord Mayor: Robert Westley, Knt. I

Sessions: 7-12 December and 13-16 January 1743/44.

Printer: John Applebee.

Brit. Mus., Bodl.

153.

Fri., 17 February 1743/44. 6d. 21-40pp. Part 2.

Lord Mayor: Robert Westley, Knt. I

Sessions: 7-12 December and 13-16 January 1743/44.

Printer: John Applebee.

Brit. Mus.

154.

Fri., 8 June 1744. 6d. 1-22pp.

Lord Mayor: Robert Westley, Knt. II.

Sessions: 22-23 February and 11-17 May 1744.

Printer: John Applebee.

Brit. Mus., Bodl.

155.

Fri., 5 October 1744. 6d. 1-20pp.

Lord Mayor: Robert Westley, Knt. III.

Sessions: 28-30 July and 12-15 September 1744.

Printer: John Applebee.

Brit. Mus., Bodl.

156.

Wed., 7 November 1744. 6d. 1-20pp.

Lord Mayor: Robert Westley, Knt. IV.

Sessions: 17-19 October 1744.

Printer: John Applebee.

Brit. Mus., Bodl.

157.

Mon., 24 December 1744. 6d. 1-20pp. Part 1.

Lord Mayor: Henry Marshall, Esq. I.

Sessions: 5-10 December 1744.

Printer: John Applebee.

Brit. Mus., Bodl.

158.

Mon., 24 December 1744. 6d. 1-20pp. Part 2.

Lord Mayor: Henry Harshall, Esq. I.

Sessions: 5-10 December 1744.

Printer: John Applebee.

Brit. Mus., Bodl.

159.

Fri., 7 June 1745. No price. 1-12pp.

Lord Mayor: Henry Marshall, Esq. III.

Sessions: 24-27 April 1745.

Printer: M. Cooper.

Bodl.

160.

Tues., 9 July 1745. No price. 13-32pp.

Lord Mayor: Henry Marshall, Esq. IV.

Sessions: 30-31 May 1745.

Printer: M. Cooper.

Brit. Mus., Bodl.

161.

Fri., 26 July 1745. 6d. 33-48pp.

Lord Mayor: Henry Marshall, Esq. V.

Sessions: 10-11 July 1745.

Printer: M. Cooper.

Brit. Mus., Bodl.

162.

Fri., 4 April 1746. 6d. 1-16pp.

Lord Mayor: Richard Hoare, Knt. I.

Sessions: 11-14 September 1745.

Printer: M. Cooper

Bodl.

163.

Fri., 25 April 1746. 6d. 17-28pp.

Lord Mayor: Richard Hoare, Knt. II.

Sessions: 9-11 April 1746.

Printer: M. Cooper.

Bodl.

SAMUEL ROSSELL, ORDINARY OF NEWGATE (1746-1747)

164.

Fri., 1 August 1746. 6d. 41-56pp.

Lord Mayor: Richard Hoare, Knt. IV.

Sessions: 2-3 July 1746.

Printer: T. Parker and C. Corbett.

Bodl.

165.

Wed., 21 January 1746/47. 6d. 1-16pp.

Lord Mayor: William Benn, Esq. I.

Sessions: 3-5 September, 15-17 October and 5-9 December 1746.

Printer: T. Parker and C. Corbett.

Bodl.

JOHN TAYLOR, ORDINARY OF NEWGATE (1747-1757)

166.

Wed., 17 June 1747. 6d. 1-16pp.

Lord Mayor: William Benn, Esq. II.

Sessions: 3-4 September, 16-20 January, 25-27 February, and 29 April -
1 May 1747.

Printer: T. Parker and C. Corbett.

Bodl.

167.

Wed., 29 July 1747. 6d. 17-32pp.

Lord Mayor: William Benn, Esq. III.

Sessions: 4-5 June and 15-16 July 1747.

Printer: T. Parker and C. Corbett.

Bodl., Guildhall.

168.

Fri. 31 July 1747. 6d. 33-46pp.

Lord Mayor: William Benn, Esq. IV.

Sessions: 4-5 June and 15-16 July 1747.

Printer: T. Parker and C. Corbett.

Bodl.

169.

Mon., 16 November 1747. 6d. 1-16pp.

Lord Mayor: Robert Ladbroke, Knt. I.

Sessions: 9-11 September and 14-16 October 1747.

Printer: T. Parker and C. Corbett.

Bodl., Guildhall.

170.

Mon., 21 December and Wed., 23 December 1747. 6d. 19-30pp.

Lord Mayor: Robert Ladbroke, Knt. II.

Sessions 9-11 December 1747.

Printer: T. Parker and C. Corbett.

Bodl., Guildhall.

171.

Fri., 18 March 1747/48. 6d. 29-44pp.

Lord Mayor: Robert Ladbroke, Knt. III.

Sessions: 15-18 January and 24-27 February 1747/48.

Printer: T. Parker and C. Corbett.

Bodl.

172.

Wed., 11 May 1748. 6d. 45-56pp.

Lord Mayor: Robert Ladbroke, Knt. IV.

Sessions: 20-23 April 1748.

Printer: T. Parker and C. Corbett.

Bodl., Guildhall.

173.

Wed., 22 June 1748. 6d. 57-70pp.

Lord Mayor: Robert Ladbroke, Knt. V.

Sessions: 26-28 May 1748.

Printer: T. Parker and C. Corbett.

Bodl., Guildhall.

174.

Fri., 28 October 1748. 6d. 71-86pp.

Lord Mayor: Robert Ladbroke, Knt. VI.

Sessions: 7-10 September and 12-14 October 1748.

Printer: T. Parker and C. Corbett.

Bodl.

175.

Mon., 20 February 1748/49. 6d. 1-18pp.

Lord Mayor: William Calvert, Knt. I.

Sessions: 7-9 September, 7-12 December, and 13-20 January 1748/49.

Printer: T. Parker and C. Corbett.

Bodl.

176.

20 February 1748/49. 6d. 1-18pp.

Lord Mayor: William Calvert, Knt. I

Sessions: 7-9 September, 7-12 December, and 13-20 January 1748/49.

Printer: John Exshaw (Dublin).

Brit. Mus.

177.

Fir., 17 March 1748/49. 6d. 19-30pp.

Lord Mayor: William Calvert, Knt. II.

Sessions: 22-27 February 1748/49.

Printer: T. Parker and C. Corbett.

Bodl.

178.

Wed., 26 April 1749. 6d. 31-44pp.

Lord Mayor: William Calvert, Knt. III.

Sessions: 22-25 February and 5-8 April 1749.

Printer: T. Parker and C. Corbett.

Bodl.

179.

Mon., 3 July 1749. 6d. 45-56pp.

Lord Mayor: William Calvert, Knt. IV.

Sessions: 11-13 April 1749.

Printer: T. Parker and C. Corbett.

Bodl.

180.

Fri., 4 August 1749. 6d. 57-72 pp.

Lord Mayor: William Calvert, Knt. V.

Sessions: 5-10 July 1749.

Printer: T. Parker and C. Corbett.

Bodl.

181.

Wed., 18 October 1749. 6d. 73-92pp.

Lord Mayor: William Calvert, Knt. VI.

Sessions: 6-14 September 1749.

Printer: T. Parker and C. Corbett.

Bodl.

182.

Wed., 7 February 1749/50. 6d. 1-16pp.

Lord Mayor: Samuel Pennant, Knt. I.

Sessions: 6-12 December and 17-20 January 1749/50.

Printer: T. Parker and C. Corbett.

Bodl.

183.

Mon., 26 March 1750. 6d. 17-34pp.
 Lord Mayor: Samuel Pennant, Knt. II.
 Sessions: 28 February - 6 March 1749/50.
 Printer: T. Parker and C. Corbett.
 Bodl.

184.

Wed., 16 May 1750. 6d. 35-52pp.
 Lord Mayor: Samuel Pennant, Knt. III.
 Sessions: 25-30 April 1750.
 Printer: T. Parker and C. Corbett.
 Bodl.

185.

Fri., 6 July 1750. 6d. 53-64pp.
 Lord Mayor: John Blachford, Esq. IV.
 Sessions: 11-13 April, 30 May - 1 June 1750.
 Printer: T. Parker and C. Corbett.
 Bodl.

186.

Wed., 8 August 1750. 6d. 65-80pp.
 Lord Mayor: John Blachford, Esq. V.
 Sessions: 11-14 July 1750.
 Printer: T. Parker and C. Corbett.
 Bodl.

187.

Wed., 3 October 1750. 6d. 81-106pp.
 Lord Mayor: John Blachford, Esq. VI.
 Sessions: 12-19 September 1750.
 Printer: T. Parker and C. Corbett.
 Brit. Mus., Bodl.

188.

Wed., 7 November 1750. 6d. 81-106pp.
 Lord Mayor: Francis Cokayne, Esq. I.
 Sessions: 17-19 October and 12-19 September 1750.
 Printer: T. Parker and C. Corbett.
 Bodl., Guildhall.

189.

Mon., 31 December 1750. 6d. 21-38pp.
 Lord Mayor: Francis Cokayne, Esq. II.
 Sessions: 5-11 December 1750.
 Printer: T. Parker and C. Corbett.
 Bodl., Guildhall.

190.

Mon., 11 February 1750/51. 6d. 39-58pp.
 Lord Mayor: Francis Cokayne, Esq. III.
 Sessions: 16-21 January 1750/51.
 Printer: T. Parker and C. Corbett.
 Bodl., Guildhall.

191.

Mon., 25 March 1751. 6d. 59-76pp.
 Lord Mayor: Francis Cokayne, Esq. IV.
 Sessions: 27-28 February 1750/51.
 Printer: T. Parker and C. Corbett.
 Bodl., Guildhall.

192.

Mon., 17 June 1751. 6d. 77-94pp.
 Lord Mayor: Francis Cokayne, Esq. V.
 Sessions: 17-22 April and 23-27 May 1751.
 Printer: T. Parker and C. Corbett.
 Bodl., Guildhall.

193.

Mon., 29 July 1751. 6d. 95-112pp.
 Lord Mayor: Francis Cokayne, Esq. VI.
 Sessions: 3-6 July 1751.
 Printer: T. Parker and C. Corbett.
 Bodl., Guildhall.

194.

Wed., 23 October 1751. 6d. 113-128pp.
 Lord Mayor: Francis Cokayne, Esq. VII.
 Sessions: 11-18 September 1751.
 Printer: T. Parker and C. Corbett.
 Bodl., Guildhall.

195.

Mon., 11 November 1751. 6d. 1-14pp.
 Lord Mayor: Thomas Winterbottom, Esq. I.
 Sessions: 16-21 October 1751.
 Printer: T. Parker and C. Corbett.
 Bodl., Guildhall.

196.

Mon., 13 January 1752. 6d. 15-29pp.
 Lord Mayor: Thomas Winterbottom, Esq. II.
 Sessions: 4-7 December 1751.
 Printer: T. Parker and C. Corbett.
 Guildhall.

197.

Mon., 23 March 1752. 6d. 31-52pp.
 Lord Mayor: Thomas Winterbottom, Esq. III.
 Sessions: 16-20 January and 19-26 February 1752.
 Printer: T. Parker and C. Corbett.
 Bodl., Guildhall.

198.

Mon., 27 April and Wed., 29 April 1752. 6d. 53-68pp.
 Lord Mayor: Thomas Winterbottom, Esq. IV.
 Sessions: 9-14 April 1752.
 Printer: T. Parker and C. Corbett.
 Bodl., Guildhall.

199.

Mon., 1 June 1752. 6d. 69-84pp.
 Lord Mayor: Thomas Winterbottom, Esq. V.
 Sessions: 14-16 May 1752.
 Printer: T. Parker and C. Corbett.
 Guildhall.

200.

Thrus., 2 July 1752. 4d. 85-96pp.
 Lord Mayor: Robert Alsop, Esq. VI.
 Sessions: 25-29 June 1752.
 Printer: T. Parker and C. Corbett.
 Guildhall.

201.

Mon., 13 July 1752. 6d. 97-112pp.
 Lord Mayor: Robert Alsop, Esq. VII.
 Sessions: 25-29 June 1752.
 Printer: T. Parker and C. Corbett.
 Bodl., Guildhall.

202.

Fri., 22 September 1752. 6d. 113-128pp.
 Lord Mayor: Robert Alsop, Esq. VIII.
 Sessions: 14-20 September 1752.
 Printer: T. Parker and C. Corbett.
 Bodl., Guildhall.

203.

Wed., 11 October 1752. 6d. 125-1[4]Opp.
 Lord Mayor: Robert Alsop, Esq. IX.
 Sessions: 14-20 September 1752.
 Printer: T. Parker and C. Corbett.
 Bodl., Guildhall.

204.

Mon., 13 November 1752. 6d. 1-14pp.
 Lord Mayor: Crisp Gascoyne, Knt. I.
 Sessions: 26-30 October 1752.
 Printer: T. Parker and C. Corbett.
 Guildhall.

205.

Mon., 16 April 1753. 6d. 31-48pp.
 Lord Mayor: Crisp Gascoyne, Knt. III.
 Sessions: 21-26 February 1753.
 Printer: T. Parker and C. Corbett.
 Guildhall.

206.

Mon., 28 May 1753. 6d. 49-64pp.
 Lord Mayor: Crisp Gascoyne, Knt. IV.
 Sessions: 2-7 May 1753.
 Printer: T. Parker and C. Corbett.
 Guildhall.

207.

Mon., 23 June 1753. 6d. 65-80pp.

Lord Mayor: Crisp Gascoyne, Knt. V.

Sessions: 18-21 July 1753.

Printer: T. Parker and C. Corbett.

Bodl.

208.

Mon., 6 August 1753. 6d. 81-98pp.

Lord Mayor: Crisp Gascoyne, Knt. VI.

Sessions: 2-7 May and 7-8 June 1753.

Printer: T. Parker and C. Corbett.

Guildhall.

209.

Mon., 1 October 1753. 6d. 99-102pp.

Lord Mayor: Crisp Gascoyne, Knt. VIII.

Sessions: 6-8 September 1753.

Printer: T. Parker and C. Corbett.

Guildhall.

210.

Mon., 29 October and Mon., 3 December 1753. 6d. 1-14pp.

Lord Mayor: Crisp Gascoyne, Knt. IX. Thomas Rawlinson, Esq. I.

Sessions: 24-30 October 1753.

Printer: T. Parker and C. Corbett.

Bodl., Guildhall.

211.

Wed., 5 June 1754. 6d. 59-72pp.

Lord Mayor: Thomas Rawlinson, Esq. V.

Sessions: 24-29 April 1754.

Printer: R. Griffiths.

Bodl.

212.

Wed., 26 June 1754. 6d. 89-100pp.

Lord Mayor: Thomas Rawlinson, Esq. VII.

Sessions: 30-31 June 1754.

Printer: R. Griffiths.

Bodl.

213.

Mon., 17 March 1755. 6d. 23-44pp.

Lord Mayor: Stephen Theodore Janssen, Esq. II.

Sessions: 4-7 December 1754, 16-21 January and 26 February - 4 March 1755.

Printer: R. Griffiths.

Bodl.

214.

Wed., 12 November 1755. 6d. 1-14pp.

Lord Mayor: Slingsby Bethell, Esq. I.

Sessions: 10-16 September and 22-25 October 1755.

Printer: R. Griffiths.

Bodl.

215.

Mon., 21 February 1756. 6d. 15-32pp.

Lord Mayor: Slingsby Bethell, Esq. II.

Sessions: 4-9 December 1755 and 15-19 January 1756.

Printer: T. Parker and R. Griffiths.

Bodl., Guildhall.

216.

Mon., 28 June 1756. 6d. 33-46pp.

Lord Mayor: 25-28 February and 28 April - 3 May 1756.

Printer: T. Parker and R. Griffiths.

Bodl., Guildhall.

217.

Mon., 19 July and 20 September 1756. 6d. 47-60pp.

Lord Mayor: Slingsby Bethell, Esq. V.

Sessions: 14-17 July 1756.

Printer: T. Parker and R. Griffiths.

Bodl., Guildhall.

218.

Wed., 18 May 1757. 6d. 17-32pp.

Lord Mayor: Marshe Dickinson, Esq. II.

Sessions: February and April 1757.

Printer: T. Parker and R. Griffiths.

Bodl.

STEPHEN ROE, ORDINARY OF NEWGATE (1757-1764)

219.

Wed., 5 October 1757. 4d. 33-48pp. Part 1.
 Lord Mayor: Marshe Dickinson, Esq. III.
 Sessions: 13-16 July and 14-17 September 1757.
 Printer: T. Parker and R. Griffiths.
 Guildhall.

220.

Wed., 13 October 1762. 6d. 45-58pp.
 Lord Mayor: Samuel Fludyer, Esq. IV.
 Sessions: 15-18 September 1762.
 Printer: J. Dixwell.
 Guildhall.

221.

Wed., 10 November 1762. 6d. 59-74pp.
 Lord Mayor: 20-22 October 1762.
 Printer: J. Dixwell.
 Guildhall.

222.

Wed., 4 May 1763. 6d. 21-40pp.
 Lord Mayor: William Beckford, Esq. II.
 Sessions: 13-15 April 1763.
 Printer: M. Lewis.
 Guildhall, Harvard.

223.

Wed., 15 June 1763. 6d. 41-52pp.
 Lord Mayor: William Beckford, Esq. III.
 Sessions: 18-21 May 1763.
 Printer: M. Lewis.
 Guildhall, Bodl.

224.

Wed., 24 April 1763. 6d. 53-64pp.
 Lord Mayor: William Beckford, Esq. IV.
 Sessions: 6-11 July 1763.
 Printer: M. Lewis.
 Guildhall.

225.

Wed., 23 October, Sat., 12 October 1763. 6d. 65-80pp.

Lord Mayor: William Beckford, Esq. V.

Sessions: 14-20 September 1763.

Printer: M. Lewis.

Guildhall.

226.

Wed., 23 November 1763. 6d. 1-16pp.

Lord Mayor: William Bridgen, Esq. I.

Sessions: 19-21 October 1763.

Printer: M. Lewis.

Guildhall.

227.

Wed., 28 December 1763 and Wed., 15 February 1764. 6d. 1-14pp.

Lord Mayor: William Bridgen, Esq. II.

Sessions: 7-12 December 1763.

Printer: J. Cooke.

Guildhall.

228.

Wed., 7 March 1764 and Wed., 28 March 1764. 8d. 15-36pp.

Lord Mayor: William Bridgen, Esq. III.

Sessions: 13 January - 22-28 February 1764.

Printer: J. Cooke.

Guildhall.

229.

Wed., 6 June 1764 and Mon., 11 June 1764. 6d. 37-52pp.

Lord Mayor: William Bridgen, Esq. IV.

Sessions: 2-7 May 1764.

Printer: M. Lewis.

Guildhall, Bodl., Harvard.

230.

Wed., 11 July and Wed., 15 August 1764. 6d. 53-68pp.

Lord Mayor: William Bridgen, Esq. V.

Sessions: 7-11 June 1764.

Printer: M. Lewis.

Guildhall.

JOSEPH MOORE, ORDINARY OF NEWGATE (1764-1769)

231.

Mon., 17 December 1764, Wed., 9 January 1765. 6d. 1-14pp.

Lord Mayor: William Stevenson, . I.

Sessions: 12-17 December 1764.

Printer: M. Lewis.

Guildhall, Bodl.

232.

Wed., 13 February 1765. 6d. 15-30pp.

Lord Mayor: William Stevenson, . II.

Sessions: 16-19 January 1765.

Printer: M. Lewis.

Guildhall.

233.

Wed., 17 April 1765 and Wed., 15 May 1765. 6d. 32-46pp.

Lord Mayor: William Stevenson, . III.

Sessions: 27 February - 2 March 1765.

Printer: J. Meres.

JOHN WOOD, ORDINARY OF NEWGATE (1769-1773)

234.

Wed., 14 February 1770. 6d.

Lord Mayor: William Beckford, Esq. II.

Sessions: 17-20 January 1770.

Printer:

Guildhall.

235.

Thurs., 19 April and Wed., 16 May 1770. 6d.

Lord Mayor: William Beckford, Esq. III. & IV.

Sessions: 21-26 February 1770.

Printer:

Guildhall.

236.

Mon., 4 June 1770 and Wed., 4 July 1770. 6d. 33-44pp.

Lord Mayor: William Beckford, Esq. V. and Barlowe Trecothick, Esq. VI.

Sessions: 30 May - 2 June 1770.

Printer: J. Kingsbury.

Bodl.

237.

Wed., 27 May 1772. 6d. 1-12pp.

Lord Mayor: William Nash, . IV.

Sessions: 29 April - 8 May 1772.

Printer: M. Lewis.

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